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1901

(Lettered on cover: English readings)

Edmund Burke

Speech on conciliation with  
America...

Ed. with notes and introduction  
by D. V. Thompson.

New York

H. Holt and co.

1901

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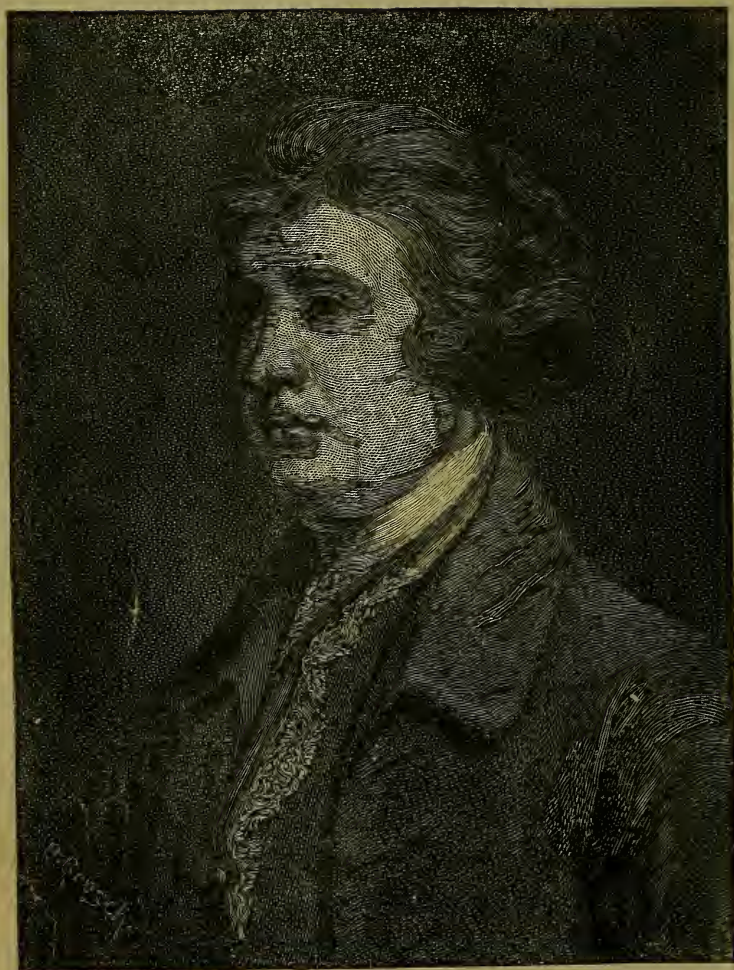
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EDMUND BURKE

## INTRODUCTION.

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THE easiest way to remember the facts about the life of Burke is to arrange them under four heads corresponding to four periods of his life. Consider the *first*, of nineteen years, to bring him to his graduation from Dublin University in 1748; the *second*, to his election to Parliament in 1765; the *third*, to the height of his active public service, in 1782; the *fourth*, to his death, in 1797.

### BURKE'S EARLY LIFE.

Burke was brought up in the Protestant faith of his father, who was an attorney of good repute in Dublin, albeit a man of irritable disposition. Burke's mother, a Roman Catholic, was a large-minded, well-connected woman, with a strong hold upon the affection and reverence of her son. We shall see that the son inherited both the impatient temper of his father, and the liberal mind of his mother. Before entering college, his mind and temper were trained with great skill by a Quaker schoolmaster, Abraham Shackleton, towards whom Burke ever felt the sincerest respect and gratitude. In college his course, while desultory and whimsical, formed a valuable brooding period for both intellect and moral purpose. He himself describes it as a series of passionate sallies into various heights of learning, saying



that he passed from the *furor mathematicus*, through the *furor logicus* and the *furor historicus*, to the *furor poeticus*. Like young Francis Bacon, he took all knowledge to be his province.

#### HOW BURKE CAME TO BE IN PARLIAMENT.

When Burke was twenty he went to London, to the Middle Temple, to study law. But his interest was not continuous, his ambitions were literary and social, his allowance was withdrawn, and a period of several years began which passed in obscure conflict with fortune. But 1756 saw the publication of two notable essays, and, what was of even greater import, his marriage to Miss Jane Nugent, like Burke's mother, a Catholic and an ideal wife. The first of the essays was *A Vindication of Natural Society*, a brilliant piece of irony purporting to be a posthumous work of Lord Bolingbroke, so cleverly imitated as to deceive skilled contemporary critics. The second pamphlet soon followed, in Burke's own name, entitled *A Philosophical Inquiry into the Origin of Our Ideas of the Sublime and Beautiful*. This was a serious effort towards a psychological explanation of the origin of the *standards* of art. Lessing and Kant are said to have received valuable suggestions from it.

As a consequence of the reputation made by these and other published works, and by the intimacy with the great literary men of London which Burke now enjoyed, he was invited in 1759 to furnish the brains for a periodical called the *Annual Register*, which Dodsley, the bookseller of Pall Mall, wished to publish. Burke was to receive £100 per annum for an account of the great current events of the year. For thirty years he attended



faithfully to this chronicle-editing, often glad of the moderate income it assured him. For six years from this time, he also received an income of several hundred pounds from a Mr. Hamilton, secretary to Lord Halifax in Ireland, for services of a perfunctory kind. But over against his happy marriage and his good beginning as an author, was the inexorable fact that he was not his own master, and that therefore he must serve whom he must, not whom he would. The *must* was to Burke's mind, very unsatisfactory. He wished to do some original literary work, and felt that his nature and ability called on him to do so; but his patron, with a selfishness which now appears blind as well as obstinate, insisted on his undivided service; so Burke with passionate disgust and sense of injury, threw up his pension, and declared his independence in 1765.

He was thirty-six years old, when by virtue of that fortune which is said always to favor the brave, he was elected to Parliament from Wendover, a borough, in the pocket of Lord Verney who was an adherent of Lord Rockingham. The friendship of Lord Rockingham for the young "Encyclopedia of political knowledge" does no less credit to the nobleman's generous insight, than it did service to Burke. The close of the year in which Hamilton lost a secretary, saw England gain a statesman.

#### BURKE'S FIRST SEVENTEEN YEARS IN PARLIAMENT.

The ministerial changes from 1765 to 1782 were numerous and important. Grenville's administration which had begun in the year of the *Peace of Paris*, 1763, was marked by far-reaching error in colonial affairs, culminating in the passage of the *Stamp Act*, in 1765. Then

came the Rockingham ministry, with Burke as its secret but powerful guiding spirit, which was dissolved as soon as it had shown a disposition systematically to undo the evil previously done, but not before the *Stamp Tax* had been removed in 1766, and Burke had made a deep impression as orator and publicist.

Chatham followed, with a cabinet which Burke described as a tessellated pavement without cement. Burke was offered a place in this cabinet, and was urged even by Lord Rockingham to accept it, but he preferred to stand by his party, and till the death of its leader in 1782, he never wavered in party or personal allegiance to the Rockingham Whigs. His first public service after his friends were out of office was the publication of *Observations on the Present State of the Nation*. His rôle was to bolster up the interest, the information, the oratory of his party leaders, and at every opportunity to speak or write so as to impress their principles upon the public.

Chatham failed to unite the Whigs, was taken ill, and resigned the government to the Duke of Grafton. In the three years of Grafton's administration, the king's obstinate desire to rule America with an arbitrary hand brought about the most unjust and oppressive legislation. But the timidity which accompanies the bullying temper, stirred by the threatening aspect of colonial commerce, repealed most of the obnoxious measures, leaving in 1769, as a monument of the supremacy which dared not be quite supreme, the *Tax on Tea*.

To Lord North, who was prime minister from 1770 to 1782, was left the legacy of discontent in the colonies, fixed tyranny in the spirit of the king, and as an instrument of legislation, the Tories coupled with a body of

corrupt and menial Whigs. The first five years of North's administration completed preparations for the American Revolution by a series of irritating penal laws. The good-natured minister, easily tuning his voice to the royal ear, demanded the recognition of the supremacy of Parliament and the consequent subservience of America. The whole object was to teach America a lesson, and as parts of that bitter instruction the provinces of Massachusetts and New York were especially subjected to discipline.

The opposition fought in vain. Neither Chatham in the House of Lords nor Burke in the House of Commons could persuade a venal and benumbed political conscience to conciliate America. After three years of fighting, when France and Spain had joined the colonies, and when the popular reaction in England revolted against further bloodshed amongst their American kinsmen, Lord North himself yielded every point in the contest and even the king was silenced. But it was too late; the counsels of generosity and justice could avail nothing at such a day, and the colonies were alienated forever.

America was not the only object of legislative concern during these troubled years, but it may fairly be said to have been the most pressing, and the most full of consequence to the future of England. For it must be remembered that statesmen like Chatham and Burke were not alone in seeing that the subversion of English liberties in America meant the subversion of English liberties at home. On all accounts, therefore, it is natural that we should pass lightly over the activities of Burke in other directions, while especially emphasizing his work in behalf of constitutional freedom.

Throughout the struggle of John Wilkes for his jury won seat in the House of Commons, Burke fought strongly on the side of liberty of election. In 1770, in the midst of threatening anarchy, was published his *Thoughts on the Present Discontents*, a calm and powerful exposition of the nature of true government, and a conservative proposition for rendering Parliament more truly representative of the national will. In November, 1774, six months after his speech on American Taxation, Burke was honored with an unsought election to Parliament from Bristol, commercially the second city in the realm. His speeches at Bristol are of interest from the light they throw upon his theory of the duties of a popular representative—a trustee of his constituency.

The March of the following year saw Burke delivering his speech on *Conciliation* to a parliament of ears that heard not. Seventy members of that house sat for rotten boroughs which were the property of the king; about a hundred and fifty more were controlled by borough-jobbing nobles like the Duke of Newcastle, and were at the disposal of the king; a great number more were owners of estates whose highest political ambition was to lighten their burden of taxes by exacting a war-revenue from America. Several seats, at a time when it cost a decent man thousands of pounds to secure a seat for honorable service were occupied by the puppet-officers of the royal household. There was no doubt how the turnspit of the king's kitchen would stand on questions of sacrifice of personal advantage for the public good, none about the position of the groom of the stole or his treasurer, the steward of the household or his retinue, the board of green cloth, or the board of works. It is easy

to see how such parliamentarians as these would regard appeals to magnanimity as in politics the truest wisdom, and how much they would listen to, and understand, of the profound, the historical, the logical, the literary, in the speech on *Conciliation*.

All this mass of political corruption Burke deliberately attacked in 1780, when there was nothing further for him or any one else to do towards redeeming the colonies, in his schemes of *Economical Reform*. No project of his was ever more successful than that for reducing the number of sinecure offices used as bribes, and the number of political pensions. He succeeded also in checking the outflow from the treasury through bad fiscal arrangements. The paymaster of the forces, for example, had managed with passive honesty to derive a salary of about thirty thousand pounds. Burke reduced it to a definite four thousand.

To sum up the period, this Burke, who cast the choicest of English oratory before seats which were either quite vacant, or occupied by loungers eating nuts and oranges, was in the House and out, the real leader of the Rockingham Whigs; while Lord North, blind to justice and deaf to mercy, followed with the unprincipled majority, the course dictated by an ignorant populace and a selfish king. When Cornwallis surrendered, North resigned and King George again reluctantly invited the Marquis of Rockingham to form a cabinet (1782).

#### THE LAST FIFTEEN YEARS OF BURKE'S LIFE.

Even in this second Rockingham cabinet Burke received no place. Why, we do not fully know; but we do know as Burke himself said, that a hunt of obloquy



had ever pursued him with a full cry through life, and that amongst other natural rewards withheld, was this honor of a place in the ministerial circle. However, he was installed in the pay office whose salary he had just reduced, and with a proud humility labored on in behalf of his party and his principles. After three months of office, Rockingham died, and Burke refused to serve under Shelburne, who soon gave place to the coalition between Fox and Lord North, under the nominal leadership of the Duke of Portland. But Burke, who had been reappointed to the pay office, favored Fox's unwise and unsuccessful *India Bill*, and fell with the ministry (1783), while the younger Pitt became prime minister and remained so till his death in 1806.

There are some elements of tragedy in the final decade of Burke's life. In the great impeachment of Warren Hastings, which he conducted, and in which he rendered justice and England valuable service, he failed of his immediate object. After the lapse of a century we can see that failure as a mere disguise, obscuring the purification of British rule in India; but to Burke, the fourteen years of close application to every phase of the case seemed thrown away when Hastings was acquitted.

But a far more tragic experience was the unmerited success, which he gained through his bigoted and passionate hostility to the French Revolution. It is true that no motive could be more unselfish, no devotion to the ideals of a lifetime more faithful. But his view of the situation in France was narrow and mistaken, and therefore his championship was unjust to many of those very interests which he had fostered with his deepest affection for years. Many of those liberal, true, and

prophet-like principles regarding the sense of a *whole people*, the adequate motives of nations, the small value of untried force, and so on, were forgotten in his panic lest the prerogative of an ancient nobility should be impaired or the feelings of an intriguing queen bruised and neglected. More than all this, it is strange to find the steady and hard-headed English people, gradually veering to his side, and sharing his anxiety lest the order of things in England should be subverted as in France.

Still more tragic was the change that came over the spirit of Burke in his public utterances, in the closing years of his parliamentary career. From the height of reason we find him descending to the blindest prejudice ; instead of the nobility of an historical philosophy we see him employing personal abuse ; for a never-failing stream of hopeful eloquence coupled with inexorable logic, we find pessimistic threatenings of disaster and a voice breaking into screams of angry protestation.

Such passion and perverseness could not fail to react upon his relations with men ; so it is with sadness, but not surprise that we read of the breach of friendship with his party in 1791, and especially with Fox, with whom he quarreled publicly over a difference regarding France. His disagreement with the party which should have been his, brought out his *Appeal from the New to the Old Whigs*, a reaffirmation of the position he had taken in the *Reflections on the French Revolution* (1790). This position was supported also by a series of *Letters on a Regicide Peace*, which urged England to force Pitt, the peace-minister, into war with France, and filled all England with dread of impending anarchy.

But apart from these aberrations the real Burke ap-



peared, in the last years of his active life, in two masterpieces of cool and solid thinking; one an economic tract marking out prophetic lines of free-trade, entitled *Thoughts and Details on Scarcity*, the other, the *Letter to a Noble Lord*, a defence against attacks upon his pension by two pampered noblemen, which Morley calls the most splendid repartee in the English language.

With the close of the trial of Hastings, Burke had retired from Parliament (1794). Shortly afterwards the king made known his intention of bestowing a peerage upon him. But at the critical moment his son Richard died, and the title was of course withheld. To the broken-hearted statesman, however, bowed under heavy debt as well as years and sorrow, was granted through Pitt's efforts a substantial pecuniary relief. Even this tardy and partial recognition of his public service was not long to be enjoyed. He died at the age of sixty-eight, at Beaconsfield, in 1797.

#### BURKE AS A MAN.

Green gives a graphic description of Burke's personal appearance in the House of Commons. "The heavy Quaker-like figure, the little wig, the round spectacles, the cumbrous roll of paper which loaded Burke's pocket, gave little promise of a great orator." But this picture is quite unlike that drawn by several of Burke's friends, who saw him at an earlier period in life or under other circumstances. It is also quite unlike the impression one gets from certain of the portraits we have of Burke—that by Reynolds which ought to be the truest, or that by Romney which certainly harmonizes with what we should expect in Burke's face. Fortunately our basis for

judgment of his character is far more satisfactory than the contradictory evidence regarding his personal appearance.

His charm in conversation is attested by the most brilliant women in France, as well as England, and in everything but wit he was the recognized peer of Johnson in the Literary Club. There it was that Burke was best known and loved. Johnson's admiration was not deeper than his friendship, and his feelings towards Burke were shared by Reynolds, Goldsmith, Garrick, Gibbon, Boswell, Windham and the rest. Goldsmith in his *Retaliation*, amongst the epitaphs on various members of the club, gives a playful description of Burke. Intelligently construed the lines give a remarkably complete idea of his character.

Here lies our good Edmund, whose genius was such,  
We scarcely can praise it or blame it too much ;  
Who, born for the universe, narrowed his mind,  
And to party gave up what was meant for mankind ;  
Though fraught with all learning, yet straining his throat  
To persuade Tommy Townshend to lend him a vote ;  
Who, too deep for his hearers, still went on refining,  
And thought of convincing, while they thought of dining ;  
Though equal to all things, for all things unfit :  
Too nice for a statesman, too proud for a wit,  
For a patriot too cold, for a drudge disobedient,  
And too fond of the right to pursue the expedient.  
In short, 'twas his fate, unemployed, or in place, sir,  
To eat mutton cold, and cut blocks with a razor.

The fact is that Burke's whole life was an effort to apply the gifts of genius to the purposes of practical life. This serves the world, and honors the man ; but the process is fraught with unspeakable suffering. The

noblest trait in Burke's character is his superiority to the rejection of his best efforts, by those whom he would have benefited. He went on with apparent complacency, to do the next good deed. Confident of his position in the right, and aiming too high to see petty obstacles in his own path, he was moved by a philanthropy which was as modest as it was sincere. Ambition never tempted him unless it appeared clothed in honor and animated by the good of mankind; and notwithstanding the rumors of low connections in business and religion which never ceased to affect his public station, no single irregularity has ever been proved against him, though the record of his life has been searched again and again by the lynx-eye of personal and partisan hostility.

The one apparent exception to this statement deserves special comment. When Burke had been but a short time in Parliament, known as he was to have no considerable income and no fortune at all, he surprised his friends and piqued the jealousy of his enemies, by the purchase of an immense estate, valued at £22,000. To maintain such a residence would have required a fixed income of £4,000. Here, twenty-four miles from London, he established a stately family-seat, which he called Beaconsfield, after the parish in which it was situated.

Such extravagance is hard to understand even in a man of genius, and an Irishman at that. But fixity, deep-rootedness, was a passion with Burke, and his life was devoted so far as his family interests were concerned, to laying plans for a notable posterity in a fitting environment. To cherish such hopes was no small part of his religion, and it was with religious seriousness that he sought to realize them. Beaconsfield was a farm of three

thousand acres. Burke became an enthusiastic student of agriculture. It was here that he took refuge from the turmoil and disappointments of political strife, and it was here that he received, with infinite hospitality, both the great men of the Literary Club, and any unfortunates whose situation he could improve. Here, also, it was, that two exiled Indian devotees, who could find no peace in unfeeling London, were permitted to make a temple of Burke's summer-house. And after his fruitless struggle on behalf of the old order in France, and after the desolating blow of his own son's death, Beaconsfield was thrown open as the home and school of sixty orphans of the French nobility.

If there be a higher morality than that which regulates business affairs, perhaps the light-hearted improvidence which ended in so much charity, may be justified on ethical grounds. Meanwhile let us say that as the well-earned pension under the management of Mrs. Burke eventually canceled every debt of money, and as the improvidence was more than compensated for by Burke's distress of mind, the account may fairly be considered closed and the debtor free.

#### BURKE IN PUBLIC LIFE.

Burke's chief principles of government may be discovered in the *Speech on Conciliation*, though they come out more definitely upon research in a broader range of his utterances. A catalogue of his fundamental rules would read thus: Seek to preserve everything possible that time has consecrated; adapt the operation of forces to suit present conditions; be satisfied with less than the ideal; be generous rather than exacting; remember there

is a higher justice than that framed in the law; and that all laws derive their efficacy from the spirit of obedience in the people.

The first of these principles is the one to which Burke was most emphatically committed. Birrell calls him the "High Priest of Order," and Perry, "the great pleader for conservatism." He was conservative by nature and education. When innovations threatened, conservatism was the only thing worth living for. Reform, says he, is not change, but "a direct application of a remedy to the grievance complained of." In his *Letter to a Noble Lord*, he describes the way he went to work upon the problem of *Economical Reform*. "I heaved the lead every inch of way I made. . . . I proceeded upon principles of research to put me in possession of my matter; on principles of method to regulate it; and on principles in the human mind and in civil affairs to secure and perpetuate the operation."

He goes on to express the feeling which Morley has pointed out as an essential element in his philosophy, a mystical reverence for the supernatural power which alone he believed could have raised a "political edifice." "I have ever abhorred, since the first dawn of my understanding to this its obscure twilight, all the operations of opinion, fancy, inclination and will, in the affairs of government, where only a sovereign reason, paramount to all forms of legislation and administration, should dictate. Government is made for the very purpose of opposing that reason to will and caprice, in the reformers or in the reformed, in the governors or in the governed, in kings, in senates, or in people."

The remaining principles cited in the catalogue, since



the *Speech on Conciliation* fully illustrates them, need no special comment here. There is a wide difference however between merely seeing the rule by which Burke did his work, and appreciating the work itself. The art of the statesman is a thing quite beyond the principles of the publicist. In the effort to follow Burke in the practice of his profession, it is well to attempt two lines of thought: first a comprehension of the living realities which furnished his motives and dictated his mode of treatment; second the power, and method, and beauty of the oratory in which he worked.

Burke's affections were always warm towards any person or people in distress, except the French mob. In their case special considerations blinded him to one half the truth. But in regard to the common people of England, the struggling peasants of Ireland, the colonists of America, his position was uniformly sympathetic. He knew their condition and he believed in their privileges, therefore, always for the sake of *order*, he made their cause his own.

So truly did he do this in actual practice, that he deliberately sacrificed the seat in the House to which he had been elected by the great constituency of Bristol. The issue was between justice to the trade of Ireland, and to the religion of the Roman Catholics in England, on the one hand, and the wishes of the great commercial corporation on the other. Burke never hesitated. True to the view of the duty of a representative which he had avowed boldly on the day of his election at Bristol, he chose the course dictated by his reason and conscience, in defiance of their will. His championship of the American cause still further

estranged him from this valuable constituency. It is true he addressed the sheriffs of Bristol in an impassioned and closely reasoned letter in 1777 on behalf of the soundness of his views; and in 1780 he spoke to the electors of Bristol words on the subject of true freedom, that should have won their renewed allegiance. But their hearts were hardened, and Burke cheerfully gave place to a more docile representative.

Burke's experience as an orator was full of contradictions. The most obvious of these was that while the greatness of a speech was conceded, the due effect was scarcely ever gained. Some of his most powerful addresses were ignored. The *Speech on Conciliation*, which is considered on the whole his greatest, utterly failed to secure its legislative object. The explanation of this contradiction is to be found largely in the prejudice of his audience.

But even to those who listened with sympathy to Burke's speeches there was no such degree of satisfaction as the reading of them afterwards afforded. This fact seems to indicate that as essays they are greater than as orations. And from the practical point of view there is much justice in this conclusion at first. But another item must be taken into account. Burke's delivery was exceedingly rapid. So much so that none but a great political philosopher like himself could have comprehended the intricacies of his discourse as he delivered it; and we have no report from any such philosopher. The witnesses are upon the whole, but second-rate observers. They lay far more stress upon the inevitable faults of manner in Burke's delivery than upon the passionate sincerity with which his words were uttered. It



is his harsh voice, his brogue, his awkward gestures, his overearenest shaking of the head, and his facial contortions which to them stand for Burke's oratory. No doubt also they felt called upon to explain to themselves as they listened, why it was that Burke's oratory was unpopular, and so they hit upon every mannerism their shallow criticism could detect.

Another strange fact about Burke as an orator is that while discoursing with a breadth of mind and liberality of policy which few statesmen have equaled, he would exhibit a personal irritation entirely out of character with his sentiments. This peculiarity was largely constitutional, but was fostered by harrassing debt, by failure in projects into which he had thrown his grandest efforts, and by a sense of the inexorable personal and party prejudice against which he had to fight with unfit weapons, until it became at times a painful thing even to his friends to observe his frantic utterance, in the heat of extempore debate. Yet forgetting these petty failings we can see in Burke, a ready and skilful disputant, whose knowledge was infinitely accurate and varied, and who, in a parliament more worthy of his presence, would have towered like a god among heroes.

The real power of Burke's oratory is shown in its effect upon the generations who have followed him. One after another their great statesmen have led the way to victory for one or another of Burke's ideas. For three-quarters of a century his works have been the text-book of British statesmen and economists. Our noblest Americans have formed their public characters upon his ideal. Almost every advance in political reform was prophesied in his principles of government, and so

rapidly has his philosophy become a common possession that we find it hard to realize the newness of many positions when he took them in the eighteenth century.

Notwithstanding all this, it is doubtful whether the oratory of Burke, if he could now share in the deliberations of our American Congress, would command its full measure of respect. It is characteristic of the mind of man to accept only a little of what he hears, especially if that which is offered be out of harmony with his own lines of thought and interest. No appeal, however eloquent, however sane, however persistent, will take away the settled prejudices of the mass of mankind, till some other influence has first broken through the shell of indifference. This fact does not argue against the employment of every persuasive art, or detract from the dignity of argumentative oratory. But it does help to explain why Burke, who perhaps surpassed every other man in the list of English orators, apparently worked in vain.

#### THE SPEECH ON CONCILIATION.

It was of Nature that Emerson said, "the eye sees what the eye brings with it the power of seeing." But it is equally true of a great work of art, that the beauty and value of it to a student are to be measured only by the student's appreciation. We start out with no mean standard when we aim to understand why the greatest critics have looked upon this as a great speech, and to see for ourselves what their eyes had power to see. Their judgment and their enjoyment mean but little to us, if we cannot, guided by them, judge and enjoy for ourselves.

A fundamental criticism on Burke as a political writer has been passed by Matthew Arnold in the brief sentence, "What makes Burke stand out so splendidly among politicians is that he treats politics with his thought and imagination." The *Speech on Conciliation* is a great political document and a classic oration, because Burke treated the questions regarding America "with his thought and imagination."

Burke never wearied of expressing disapproval of theorists, but he appealed constantly to the deep truths of statecraft, constantly correcting his views by reference to specific examples in history and to *plain facts* of human nature. His works contain the results of profound research in every field of learning, presented in an easy continuity, as if to permit the reader to live through Burke's mental processes as he reads. The habit of thorough examination of facts and application of principles grows unconsciously, and one is stimulated to think in spite of himself.

But the secret of Burke's suggestiveness is not his philosophy alone. Others have thought deeply and logically without impregnating the minds of their readers with their scholarly spirit. Burke vivifies his facts with imagination. Even commercial statistics are made to seem alive. And where an opportunity presents itself, the art of a poet is drawn upon to embellish his position, and render it attractive. How easily a mere debater could have passed by the whale-fisheries of New England with a statement of the bare facts of its big areas, its stupendous tonnage, and its importance to English trade. But Burke treats the fishermen with his imagination.

“Whilst we follow them among the tumbling mountains of ice, and behold them penetrating into the deepest frozen recesses of Hudson Bay and Davis Strait, whilst we are looking for them beneath the Arctic Circle, we hear that they have pierced into the opposite region of polar cold, that they are at the antipodes, and engaged under the frozen serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious industry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude and pursue their gigantic game along the coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people—a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood.”

The clear vision, of which Arnold spoke, peers into the history of Wales under penal regulation, and brings forth pictures like this.

“I admit it fully; and pray add likewise to these precedents, that all the while Wales rid this kingdom like an *incubus*; that it was an unprofitable and oppressive burden; and that an Englishman traveling in that country could not go six yards from the high-road without being murdered.”

It peers into the geography of America and presents the colonists in the very act of migration.

“If you drive the people from one place, they will carry on their annual tillage and remove with their flocks and herds to another. . . . Already they have topped the Appalachian mountains.

From thence they behold before them an immense plain, one vast, rich, level meadow ; a square of five hundred miles."

It peers into the very hearts of the Americans and sympathizes with their passionate love of freedom, with their religious prejudices, their social tendencies ; and it sees the English kinship with these passions as a living truth. With what deadly vividness is this set forth before those unseeing eyes of the British House of Commons !

"We cannot, I fear, falsify the pedigree of this fierce people and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition ; your speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery."

Upon the ill-omened projects of tyranny it looks with the eye of scornful condemnation. Burke is speaking of the plan to free the slaves that they may fight against their masters.

"An offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty and to advertise his sale of slaves."

The imaginative quality of these passages loses by the fact of quotation. In their places, set in the system of Burke's thought, these five and a hundred others contribute to that suggestiveness, which every one must discover in every page of the oration. They come from an exercise of the imagination, and often produce the effect of great poetry. There is nothing in them of the license



of mere irresponsible fancy; every image is tempered into truth, and subjected to the law of reason, but it spurs and urges on the reader's mind. Page after page passes before us, and by some fascination like that which draws the eye from arch and spire of a great cathedral to view from within "storied window and fretted vault," we feel ourselves seized upon by the passion of the orator, and swept out of our common mood into new relations to his theme. We share his reverence for the subject, his love of justice and the constitution, his faith in clemency, and his hatred of tyranny and fraud.

But the speech is by no means all in this lofty vein. Mr. Bliss Perry says, "Burke could always be gorgeous when he chose, and severe when he must." There is little of the Speech on Conciliation that may justly be called gorgeous in style; but there is no dearth of passages of severe prose. The oration is of the class argumentative or deliberative. There are few words in the whole speech which do not, directly or indirectly, lead towards conciliation and away from tyranny. The tone of the speech is conciliatory. The *Speech on Taxation in America* which Burke delivered almost a year earlier, is quite of another type in this respect. That, says Goodrich, "was in a strain of incessant attack, full of the keenest sarcasm, and shaped from beginning to end for the purpose of putting down the ministry." But in the present oration we have balanced judgment, nice attention to the means of persuasion, a spirit of philanthropic administration of colonial affairs as a trust reposed in Parliament. Combined with all these traits, is a body of argument which is at the same time detailed and extensive, systematic and powerful.

The purpose is twofold. It consists in general of an effort to convince the House of the need of serious and just treatment of the American colonists, by emphasizing the magnitude of American commerce, and the dignity and energy of American character. His thought runs in this channel : "The abuse of America arises from carelessness and ignorance ; if I can prove that America is great and respectable in material importance and in character, I shall gain at least a new and earnest attitude from the House." It is here that he introduces his elaborate exposition of American commerce, agriculture, and fisheries, and of the American spirit of liberty arising from six causes, every one of which is separately defined and argued.

Following this effort to produce a just attitude of mind towards the American question, Burke introduces what is called an *argument by exclusion*, to show that in the light of the facts just adduced, there is only one proper way in which to treat America. An enumeration of all the proposed courses of action is made ; one after the other the various modes of procedure are proved impracticable, until only one is left. Then comes the positive demonstration of the justice of this conclusion. The great body of the speech, from paragraph sixty-five to paragraph one hundred and seventeen, is devoted to showing how a conciliatory policy would operate favorably upon America. Within these limits, the most noteworthy type of argumentation is the appeal to the examples of four other provinces of England. This is called *argument by historical analogy*. As an argument by exclusion is of no value unless the enumeration of possibilities be complete, and the cancellation of the un-



wise, just; so an argument from historical analogy is misleading unless the cases considered be parallel in their essential conditions, and the conclusion drawn from the one shown to be justly applicable to the other. A study of the arguments of Burke ought to demonstrate both the truth of his inferences and the fulness and ingenuity of reasoning by which he reaches them.

To touch upon Burke's art of reasoning is to open a subject of indefinite research, but it may be well to lay the stress of brief comment upon three of its subdivisions.

The *enforcement* of an argument is invariably marked by a careful preparation, a graceful introduction, a statement and restatement of the question, and a laying of emphasis upon the essential point. This effect of emphasis is gained in various ways, some of them dependent upon the style of expression and too subtle to be classified; but a favorite method is the denial of the opposite. This may in itself require some amplification, or it may consist in a flash of light thrown upon the absurdity to which his enemy's position is reduced. Other modes of enforcement, such as straightforward illustration, exposition of principles involved, and the hundred arts of style, may form a most interesting topic for original work. Some suggestions appear later in this introduction but the individual insight is the best worker in this field, as in others.

In the art of *persuasion*, Burke falls far short of most great orators. His temper was too uncompromising and his attitude too impersonal. He was not naturally tactful in expression, and he wearied his audience with the very wealth of his knowledge. His arts were those of a

prophet, a scholar, a lecturer, rather than of a medium of sympathy between righteousness, intelligence and economy, and the average man. To men already possessed by the spirit of these things he speaks with unmeasured felicity, but character and intelligence were not his audience; and one of the prime demands upon an orator is to adjust his hearers and his speech. Chatham did it, Fox did it, Sheridan did it—all in that same Parliament of inert and biased minds which the grandest conceptions and the most eloquent periods of the *Speech on Conciliation* failed to move.

When we observed above Burke's habit of denying the opposite of a position which he wished to sustain, we anticipated one of his very important means of *refutation*. From beginning to end the speech is characterized by brief pieces of refutation after this fashion, interspersed among the divisions of direct debate. For example, there is that remarkable digression against the use of force, brought in in the midst of a discussion of the circumstances and character of the colonists. In paragraphs sixty-six to seventy-six Burke is occupied with refuting the arguments bearing upon England's legal right to tax the colonies and the danger of further demands if the revenue laws be relaxed. Paragraphs ninety-five, ninety-eight and one hundred and four illustrate the same principle. But the great body of refutation occurs where it would be expected, in paragraphs one hundred and eighteen to one hundred and thirty-six, where the chief object is after all only an elaboration of the principle already cited. Burke cannot in the nature of things extensively devote himself to answering arguments against his own plan, so he follows

the method of attacking the tacit arguments implied in the existence of Lord North's propositions. By downright ridicule, audacious rebuke, or piercing analysis, he exhibits the unstatesmanlike policy of the leading foe to conciliation. Flank movements outwit North's shrewd but unprincipled strategy. While seeming to yield a point gracefully to his opponents, he scores two for himself. Nothing is more characteristic of Burke than a restatement, with apparent liberality, of some tenet of the oppressors, which is no sooner submitted to this test than it appears honeycombed with meanness or with error.

"Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent: you answer that you will fix the sum at which they shall be taxed. That is, you give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon; it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For suppose the colonies were to lay the duties which furnished their contingent upon the importation of your manufactures, you know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation. So that when you come to explain yourself, it will be found that you will neither leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other."

Though this paragraph is the last passage we shall insert here, as means of illustrating Burke's mode of argumentation, let it be remembered that in our discussion of this theme we have touched but upon its very surface. Even if our object has been fully attained, we have only suggested ways of looking into it. No one knows anything of Burke's power in this direction, until he has made the speech, as a whole, part of his own mental life,

so that it thinks itself over in his mind, as an organic system of political philosophy. It should of itself work in the reasoning faculties, with intense and increasing energy, towards an ideal conception of government in which the weak, the distant, and the loyal, are justly treated by the strong, the central and the generous. It is for this kind of government that Burke was pleading, and to the true reader he pleads for the same to-day.

The language in which this system is set forth is difficult. But its difficulty is almost solely due to the character of the thinking. Wherever the thought is plain the language is easy, and it is even rendered, by the genius of Burke, somewhat simple even in passages of reasoning the most complex. But when an earnest, wide-awake mind has once begun to grapple with the problems in the thought and imagination of the speech, there is no further consciousness of obstacles in the way of understanding special words or phrases. The whole effort of such a student is directed, as it should be, towards seeing Burke in his speech, "alive and passionate."

Incidentally, many things will catch his eye, as he reads. For example, he will be impressed with the elegance of Burke's style. There is no vulgar commonplace, no appeal to cheap applause, no hot invective. An air of dignity pervades his utterance; his manner is that of a "gentleman of the old school."

"Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths, not to the Republic of Plato, not to the Utopia of More, not to the Oceana of Harrington. It is before me, it is at my feet,—

‘ And the rude swain  
Treads daily on it with his clouted shoon.’ ”

It is as part of this poised and high-bred manner that we interpret those quaint apologies and deprecations, those compliments and innuendoes which enliven the page.

But there is a deeper explanation of the elegance of Burke's style. His spirit is high. Grandeur is native to him ; it breathes forth from his lips as unconsciously as goodness welled from his heart. And those full periods, perfect in continuity, roll off with a rhythm which cannot but be sustained, because it is the rhythm of the thought or emotion itself. Burke's phrasing is as rotund, his turns of thought as quick and varied, as those of Johnson at his best, and for much the same reason. Both were great men speaking from their hearts, in an age which had not yet chastened the poetry out of daily speech. The passage which best illustrates these qualities is too long to quote here. But it will never be thought too long to read,—paragraphs one hundred and twenty-six to one hundred and twenty-eight, beginning, “ For that service, for all service, whether of revenue, trade or empire, my trust is in her interest in the British constitution.”

Goodrich makes a substantial quotation from Burke himself when he states Burke's idea of a truly fine sentence,—“ It consists in a union of thought, feeling and imagery—of a striking truth and a corresponding sentiment, rendered doubly striking by the force and beauty of figurative language.”

From a writer with such an ideal we should expect to find what we do find, sentences rich in ornament.



Burke's style is distinctly more elaborate than that of the best orators of our modern school, and his standards of argumentative language are quite unlike those laid down in our art of debate. He differs widely from several of the great speakers of his own day in these respects. But after his kind he is incomparable, and it is the secrets of his style we are exploring.

Of kindred figures, *irony* is Burke's favorite. He occasionally towers into *sarcasm*, but his natural resort is to plain truth half veiled in formal compliment. In paragraph ten he is speaking of the disappointing simplicity of his plan for conciliation.

"There is nothing at all new and captivating in it. It has nothing of the splendor of the project which has been lately laid upon your table by the noble lord in the blue ribbon. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace at every instant to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle."

Frequent as such passages are they are far outnumbered by the bold, straightforward challenges with which he brings up his opponents. The figures, upon which he ordinarily depends are the simple but suggestive *metaphor* and *simile*, with an occasional *hyperbole* to heighten effect, and *interrogation* to vary the mode of attack. The last half of paragraph sixty-six illustrates all these turns of expression in a single passage, together with *antithesis*, *paradox*, and one of the finest examples of *repetition*, in the speech. As an example of *litotes*, not the least valu-

able figure in debate, observe the close of paragraph four ; it is the inevitable balance of his ironical mood in the opening lines of the same paragraph. Both irony and litotes involve self-control in the speaker.

“Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted,—that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper ; until, by a variety of experiments, that important country has been brought into her present situation,—a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.”

Before passing on to notice another group of ornaments in the style of Burke we must gather a somewhat more definite idea of his use of metaphor. Ordinarily the metaphors in the *Speech on Conciliation* are homely and brief, merely having the effect of strength, bigness, or some other quality in a heightened degree. Such are the expressions,—“population shoots,” “to wrest from them by force or shuffle from them by chicane,” “this loosening of all ties and this concussion of all established opinions.” Metaphors of this type are to be found on every page. But there are in the speech, contributing to it no small share of its total beauty and power, several of a higher type—offspring of a poetic imagination. The most obvious example is the twenty-fifth paragraph, in which Burke pictures the sixty-eight years’ change in America as a revelation to Lord Bathurst. It has the



imaginative if not the sympathetic eloquence of Webster's apostrophe to Lafayette. But, interesting as this is, a more appropriate example is the figure of the wine-press in paragraph one hundred and thirty-three,—more appropriate because more in the direct current of argumentative thought, while the other is to some extent an *episode*.

"Most may be taken where most is accumulated. And what is the soil or climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence by the straining of all the politic machinery in the world?"

Aside from typical figures of speech, there is an element of the poetic in Burke's style which is not less noteworthy because it is pervasive, and incapable of scientific analysis. What I refer to is a certain enrichment of his language with treasures from his reading. Sometimes this takes the form of quotation, but more commonly of a passing allusion, suggested rather than made, to some cherished phrase, which not only expresses the desired thought, but conveys with it the subdued charm of association. Such passages may well be thought the greatest beauty of the speech, none the less because they can be fully appreciated only by those readers to whom the half-quoted phrases are familiar. Freedom is a "common blessing, and as broad and general as the air"; "Clouds indeed and darkness rest upon the future"; "When the day-star of the English constitution had arisen in their hearts"; "The immense, ever-growing, eternal debt which is due to generous government from protected freedom"; "These are ties which,

though light as air, are as strong as links of iron." It is in such rich fragments as these from Shakespeare, Milton, the Bible, that Burke naturally expresses himself, occasionally giving from these sources or from his favorite Latin poets, a more literal quotation. His eloquent *Sursum corda* is drawn from the Roman Catholic liturgy, while from the Philadelphia *Address to Great Britain* echoes that telling phrase "the former unsuspecting confidence in the mother country." The legends of the Minotaur and of the Roman daughter contribute to his descriptions, picturesque events in history afford him illustrations, while nothing satisfies the demand of his critical imagination but the most definite and accurate details. The mountains are *Appalachian*, the outlaws are English *Tartars*; it is *Angola* negroes whom the *Guinea* captain seeks to import, into *Virginia* and *Carolina*. Payne has made a very happy illustration of this poetic quality of Burke's style, by quoting the following passages side by side :

"In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt and Arabia and Kurdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can.—  
Page 25.

"In all the despotisms of the East it has been observed that the further any part of the empire is removed from the capital the more do its inhabitants enjoy some sort of rights and privileges; the more inefficacious is the power of the monarch; and the more feeble and easily decayed is the organization of the government."—*Inquiry into the Colonial Policy of the European Powers*, by Lord Brougham.

“This particularizing style is the essence of poetry; and in prose it is impossible not to be struck with the energy which it produces. Brougham’s passage is excellent in its way; but it pales before the flashing lights of Burke’s sentences.”<sup>1</sup>

But though the beauties of Burke’s style are the beauties of poetry, his prose is a true prose, and has the excellences of prose. There is no need to dwell upon the means by which Burke perfects the sequence of sentences and paragraphs, or the nice ratio between theme and amplification, or the variety and force of his phrases, or the accuracy and vigor of his vocabulary. These things are self-evident. It may be well however to touch upon one virtue of his prose language, which is possessed in equal perfection by few orators. I mean his ingenuity in neatly expressing what would naturally have been considered inexpressible except in many and perhaps awkward words. I will cite several examples of this skilful compression, though they lose their keenest point when isolated: “Considering force not as an odious, but a feeble instrument” (§ 31); “Terror is not always the effect of force, and an armament is not a victory” (§ 33); “Will it not teach them that the government against which a claim of liberty is tantamount to high treason is a government to which submission is equivalent to slavery?” (§ 60); “But courts incommodiously situated in effect deny justice; and a court partaking in the fruits of its own condemnation is a robber” (§ 116).

To be convinced with a discouraging degree of thoroughness that these passages are not thrown off by

<sup>1</sup> Payne’s comment, *Burke’s Select Works*, I., xl.

an average literary gift, one need but attempt to paraphrase them in their various contexts. Yet Burke seeks neither this virtue nor any of the more ornate habits of expression in a spirit of pedantry. Every element of his style seems to have come at the call of his general purpose,—a purpose, not in itself literary, but voicing itself through the operation of literary genius in extraordinary beauty and vigor of style.

The student's total impression of Burke's English is that it not only serves the orator's conscious purpose, furthering with sincerity and vividness the granting of constitutional freedom to America ; it will be felt that to the furthest limit of thought or imagination,—of exposition, enforcement, summary, refutation, of description, illustration, or appeal,—the subserviency of his style is perfect and unconscious. It is part of the man. It is as supple as the Arab horse to his master's hand ; and like that, while it obeys, it carries him on to where new obedience is exacted. Burke habitually relies upon the certainty with which the right words will appear and fall harmoniously into their right places. To share in the satisfactions of that confidence is fully to enjoy the style of Burke, and enjoyment of Burke's style is by no means the least important end to which work on this oration should contribute.

## A CHRONOLOGICAL TABLE

COVERING THE LIFE OF BURKE AND SUCH HISTORY AND  
LITERATURE AS BEAR SPECIAL RELATION TO HIS LIFE-  
WORK OR TO HIS SPEECH ON CONCILIATION.

- 1651-1663. Various Navigation Acts, limiting American carrying-trade.
- 1672-1764. Other Trade Laws, damaging to colonial commerce or manufactures.
1729. Burke born in Dublin.
1748. Graduated from Trinity College, Dublin.
1749. Bolingbroke: *Idea of a Patriot King*.  
Montesquieu: *Esprit des Lois*.
1750. Burke arrived in London.
1754. Mutiny Act extended to the Colonies.
1755. French and Indian War.
1756. *Vindication of Natural Society*.  
*Essay on the Sublime and Beautiful*.  
Burke married to Jane Nugent.
1757. Supremacy of English Power in India.  
*Account of European Settlements in America*.  
*Abridgement of the History of England*.
1758. Richard Burke born.
1759. Capture of Quebec.  
*Annual Register*, Vol. I.  
Burke Secretary to Hamilton.

1760. Accession of George Third.
1761. Burke in Ireland.  
Blow struck at colonial judiciary.
1762. Whiteboy outbreak.  
Rousseau : *Contrat Social*.
1763. Grenville Ministry.  
Peace of Paris.
1764. Burke a Member of "The Club."  
Sugar Tax.
1765. Stamp Act.  
Rockingham Ministry.  
Burke Secretary to Rockingham.  
Enters Parliament from Wendover.  
Colonial Congress, at New York.  
Blackstone : *Commentaries*.
1766. Repeal of Stamp Act.  
Chatham Ministry.  
Lessing : *Laocöon*.
1767. Grafton Ministry.
1768. Burke purchases Beaconsfield.
1769. Tea Tax affirmed.  
Transportation Act affirmed.  
Junius : first *Letter*.  
*Observations on the present State of the Nation*.
1770. *Thoughts on the Cause of the Present Discontents*.  
Boston Massacre.  
North Ministry.
1771. Burke Agent for New York.  
Parliamentary Debates reported.
1773. Boston Tea Party.  
Burke visits France.



1774. *Speech on American Taxation.*  
Burke member for Bristol.  
Boston Port Bill.  
Act for trial of British Soldiers.  
Abrogation of Charter of Massachusetts.  
First Continental Congress at Philadelphia.  
Colonial Militia organized.  
Tucker: *The True Interest of Britain.*
1775. "Penal Bill" introduced by Lord North,  
Feb. 10.  
"Project" introduced by Lord North, Feb. 27.  
Johnson: *Taxation no Tyranny.*  
Penal Bill passed by the Lords, Mar. 21.  
*Speech on Conciliation*, Mar. 22.  
Battles of Lexington and Concord.  
Penal Bill passed, May 8.  
Continental Congress rejects Lord North's project, May 10.  
Battle of Bunker Hill.
1776. Declaration of Independence.  
Paine: *Common Sense.*  
Smith: *The Wealth of Nations.*
1777. *Address to the King.*  
*Letter to the Sheriffs of Bristol.*  
Surrender of Burgoyne.
1780. *Speech on Economical Reform.*  
Lord George Gordon Riots.
1781. Burke Member for Malton.  
Surrender of Cornwallis.
1782. Second Rockingham Ministry.  
Burke Paymaster of the Forces.  
Shelburne Ministry.

1783. Coalition Ministry.  
*Speech on the India Bill.*
1784. Pitt Ministry.
1785. *Speech on the Nabob of Arcot's Debts.*
1786. Opening of the Trial of Hastings.
1789. French Revolution.  
Washington's Administration.
1790. *Reflections on the French Revolution.*
1791. Alienation of Burke from his friends.  
*Letter to a member of the National Assembly.*  
*Appeal from the New to the Old Whigs.*  
Thoughts on French Affairs.
1792. Paine: *Rights of Man.*  
Paine: *Age of Reason.*
1793. *Observations on the Conduct of the Ministry.*  
Execution of Louis Sixteenth.  
Reign of Terror.  
France declares War against Holland, Spain and  
England.  
*Remarks on the Policy of the Allies.*
1794. Bonaparte drives the British from Toulon.  
Close of the trial of Hastings.  
Burke retires from Parliament.  
Richard Burke dies.
1795. *Thoughts and Details on Scarcity.*  
*Letter to a Noble Lord.*
1796. *Letters on a Regicide Peace.*
1797. John Adams's Administration.  
Burke dies.
1809. Mrs. Burke dies.

# SPEECH

OF

EDMUND BURKE, ESQ.

ON

Moving his Resolutions

FOR

Conciliation with the Colonies

March 22, 1775

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THE SECOND EDITION

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LONDON

PRINTED FOR J. DODSLEY, IN PALL-MALL

MDCCLXXV



# SPEECH

## ON

### CONCILIATION WITH AMERICA

1. I HOPE, Sir, that notwithstanding the austerity of the Chair, your good nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending which strongly engages their hopes and fears should be somewhat inclined to superstition. As I came into the House, full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal bill by which we had passed sentence on the trade and sustenance of America is to be returned to us from the other House. I do confess, I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favor by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its nature, so very uncertain in its issue. By the return of this bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our American government as we were on the first day of the session. If, Sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning voice, again to

attend to America ; to attend to the whole of it together ; and to review the subject with an unusual degree of care and calmness.

2. Surely it is an awful subject, or there is none so on this side of the grave. When I first had the honor of 5 a seat in this House, the affairs of that continent pressed themselves upon us as the most important and most delicate object of parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust ; and having no sort of 10 reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our colonies. I was not less under the necessity of forming some fixed ideas concerning the gen- 15 eral policy of the British Empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to concentre my thoughts, to ballast my conduct, to preserve me from being blown about by every wind of fashionable doctrine. 20 I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from America.

3. At that period I had the fortune to find myself in perfect concurrence with a large majority in this House. 25 Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your 30 equity to judge.



4. Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted, —that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, an heightening of the distemper; until by a variety of experiments that important country has been brought into her present situation—a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.

5. In this posture, Sir, things stood at the beginning of the session. About that time a worthy member, of great parliamentary experience, who in the year 1766 filled the Chair of the American Committee with much ability, took me aside and, lamenting the present aspect of our politics, told me things were come to such a pass that our former methods of proceeding in the House would be no longer tolerated; that the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity; that the very vicissitudes and shiftings of ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent which nothing could satisfy, whilst we accused every measure of vigor as cruel, and every proposal of lenity as

weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries; we must produce our hand: it would be expected that those who for many years had been active in such affairs should show that they had formed some clear and decided idea of the principles of colony government; and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

6. I felt the truth of what my honorable friend represented; but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking than myself. Though I gave so far into his opinion that I immediately threw my thoughts into a sort of parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge of the world, to hazard plans of government, except from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part, I am not ambitious of ridicule, not absolutely a candidate for disgrace.

7. Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government, nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more, and that things were hastening towards an incurable alienation of our colonies, I confess my caution

gave way. I felt this as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveller ; and there are occasions when any, even the slightest, chance of doing good must be laid  
5 hold on, even by the most inconsiderable person.

8. To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius and obtain pardon for the efforts of the meanest under-  
10 standing. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For judging of what you  
15 are by what you ought to be, I persuaded myself that you would not reject a reasonable proposition, because it had nothing but its reason to recommend it. On the other hand, being totally destitute of all shadow of influence, natural or adventitious, I was very sure that if my  
20 proposition were futile or dangerous, if it were weakly conceived or improperly timed, there was nothing exterior to it, of power to awe, dazzle or delude you. You will see it just as it is, and you will treat it just as it deserves.

25 9. The proposition is peace. Not peace through the medium of war ; not peace to be hunted through the labyrinth of intricate and endless negotiations ; not peace to arise out of universal discord fomented from principle in all parts of the empire ; not peace to depend on the  
30 juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple peace, sought in its natural

course and in its ordinary haunts. It is peace sought in the spirit of peace, and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the colonies in the mother country*, to give permanent satisfaction to your people; and (far from a scheme of ruling by discord) to reconcile them to each other in the same act and by the bond of the very same interest which reconciles them to British government.

10. My idea is nothing more. Refined policy ever has been the parent of confusion; and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart is an healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivating in it. It has nothing of the splendor of the project which has been lately laid upon your table by the noble lord in the blue ribbon. It does not propose to fill your lobby with squabbling colony agents, who will require the interposition of your mace at every instant to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of algebra to equalize and settle.

11. The plan which I shall presume to suggest

derives, however, one great advantage from the proposition and registry of that noble lord's project. The idea of conciliation is admissible. First, the House in accepting the resolution moved by the noble lord has  
5 admitted, notwithstanding the menacing front of our address, notwithstanding our heavy bill of pains and penalties, that we do not think ourselves precluded from all ideas of free grace and bounty.

12. The House has gone farther: it has declared  
10 conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not wholly unfounded. That right thus exerted is  
15 allowed to have something reprehensible in it, something unwise or something grievous; since, in the midst of our heat and resentment, we of ourselves have proposed a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode  
20 that is altogether new,—one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

13. The *principle* of this proceeding is large enough for my purpose. The means proposed by the noble lord  
25 for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end; and this I shall endeavor to show you before I sit down. But, for the present, I take my ground on the admitted principle. I mean to give peace. Peace implies reconciliation; and  
30 where there has been a material dispute, reconciliation does in a manner always imply concession on the one part or on the other. In this state of things I make no



difficulty in affirming that the proposal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer from such a power 5 will be attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior ; and he loses forever that time and those chances which, as they happen to all men, are the strength and resources 10 of all inferior power.

14. The capital leading questions on which you must this day decide are these two : first, whether you ought to concede ; and secondly, what your concession ought to be. On the first of these questions we have gained 15 (as I have just taken the liberty of observing to you) some ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, I think it may be 20 necessary to consider distinctly the true nature and the peculiar circumstances of the object which we have before us : because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances, and not according to our 25 own imaginations, not according to abstract ideas of right ; by no means according to mere general theories of government, the resort to which appears to me in our present situation no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you 30 some of the most material of these circumstances in as full and as clear a manner as I am able to state them.



15. The first thing that we have to consider with regard to the nature of the object is the number of people in the colonies. I have taken for some years a good deal of pains on that point. I can by no calculation  
5 justify myself in placing the number below two millions of inhabitants of our own European blood and color; besides at least 500,000 others, who form no inconsiderable part of the strength and opulence of the whole. This, Sir, is, I believe, about the true number. There  
10 is no occasion to exaggerate where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low is a matter of little moment. Such is the strength with which population  
shoots in that part of the world, that, state the numbers  
15 as high as we will, whilst the dispute continues, the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage.  
20 Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

16. I put this consideration of the present and the growing numbers in the front of our deliberation; because, Sir, this consideration will make it evident to a  
25 blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable to such an object. It will show you that it is not to be considered as one of those *minima* which are out  
30 of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependent, who may be neglected with little damage and provoked with

little danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and 5 be assured you will not be able to do it long with impunity.

17. But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined 10 with other circumstances. The commerce of your colonies is out of all proportion beyond the numbers of the people. This ground of their commerce, indeed, has been trod some days ago, and with great ability, by a distinguished person at your bar. This gentleman, after 15 thirty-five years,—it is so long since he first appeared at the same place to plead for the commerce of Great Britain,—has come again before you to plead the same cause, without any other effect of time than that to the fire of imagination and extent of erudition, which even 20 then marked him as one of the first literary characters of his age, he has added a consummate knowledge in the commercial interest of his country, formed by a long course of enlightened and discriminating experience. 25

18. Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat 30 different from his. There is, if I mistake not, a point of view from whence, if you will look at this subject, it is

impossible that it should not make an impression upon you.

19. I have in my hand two accounts: one a comparative state of the export trade of England to its colonies, as it stood in the year 1704, and as it stood in the year 1772; the other a state of the export trade of this country to its colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the colonies included) in the year 1704. They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the Inspector-General's office, which has been ever since his time so abundant a source of parliamentary information.

20. The export trade to the colonies consists of three great branches: the African, which, terminating almost wholly in the colonies, must be put to the account of their commerce; the West Indian; and the North American. All these are so interwoven that the attempt to separate them would tear to pieces the contexture of the whole; and, if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.

21. The trade to the colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:—

Exports to North America and the West Indies,	£483,265
To Africa . . . . .	86,665
	<hr/>
	£569,930

22. In the year 1772, which I take as a middle year

between the highest and lowest of those lately laid on your table, the account was as follows:—

To North America and the West Indies . .	£4,791,734	
To Africa . . . . .	866,398	
To which if you add the export trade from		5
Scotland, which had in 1704 no existence	364,000	
	<hr/>	
	£6,022,132	

23. From five hundred and odd thousand it has grown to six millions. It has increased no less than twelvefold. This is the state of the colony trade, as compared with itself at these two periods within this century; and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England in 1704:—

The whole export trade of England, including		
that to the colonies, in 1704 . . . . .	£6,509,000	
Export to the colonies alone in 1772 . . .	6,024,000	
	<hr/>	
Difference . . . . .	£485,000	20

24. The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance that has drawn the juices from the rest of the body? The reverse. It is the very food that has nourished every other part into its present magnitude. Our general trade has been greatly aug-

mented, and augmented more or less in almost every part to which it ever extended, but with this material difference, that of the six millions which in the beginning of the century constituted the whole mass of our export commerce, the colony trade was but one-twelfth part; it is now (as a part of sixteen millions) considerably more than a third of the whole. This is the relative proportion of the importance of the colonies at these two periods: and all reasoning concerning our mode of treating them must have this proportion as its basis; or it is a reasoning weak, rotten and sophistical. *unsound*

25. Mr. Speaker, I cannot prevail on myself to hurry over this great consideration. It is good for us to be here. We stand where we have an immense view of what is, and what is past. Clouds, indeed, and darkness rest upon the future. Let us, however, before we descend from this noble eminence, reflect that this growth of our national prosperity has happened within the short period of the life of man. It has happened within sixty-eight years. There are those alive whose memory might touch the two extremities. For instance, my Lord Bathurst might remember all the stages of the progress. He was in 1704 of an age at least to be made to comprehend such things. He was then old enough *acta parentum jam legere, et quae sit poterit cognoscere virtus*. Suppose, Sir, that the angel of this auspicious youth, foreseeing the many virtues which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision, that when in the fourth generation the third prince of the House of Brunswick had sat twelve years on the throne of that nation which (by the happy issue of moderate and healing



counsels) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of peerage, whilst he enriched the family with a new one ;—if amidst these bright and happy 5 scenes of domestic honor and prosperity that angel should have drawn up the curtain and unfolded the rising glories of his country, and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarcely 10 visible in the mass of the national interest, a small seminal principle rather than a formed body, and should tell him,—“ Young man, there is America, which at this day serves for little more than to amuse you with stories of savage men and uncouth manners ; yet shall, before 15 you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing 20 settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life ! ” If this state of his country had been foretold to him, would it not require all the sanguine credulity of youth and all the fervid glow of enthusiasm 25 to make him believe it ? Fortunate man, he has lived to see it ! Fortunate indeed, if he lives to see nothing that shall vary the prospect and cloud the setting of his day !

26. Excuse me, Sir, if, turning from such thoughts, I resume this comparative view once more. You have seen 30 it on a large scale ; look at it on a small one. I will point out to your attention a particular instance of it in the



single province of Pennsylvania. In the year 1704 that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; 5 for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the colonies together in the first period.

27. I choose, Sir, to enter into these minute and particular details; because generalities, which in all 10 other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our colonies, fiction lags after truth, invention is unfruitful, and imagination cold and barren.

28. So far, Sir, as to the importance of the object in 15 the view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure which deceive the burthen of life, how many materials which invigorate the springs of national industry, and extend and animate 20 every part of our foreign and domestic commerce. This would be a curious subject indeed,—but I must prescribe bounds to myself in a matter so vast and various.

29. I pass, therefore, to the colonies in another point of view,—their agriculture. This they have prosecuted 25 with such a spirit that, besides feeding plentifully their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded, they will export much more. At the beginning of the 30 century some of these colonies imported corn from the mother country. For some time past the Old World has been fed from the New. The scarcity which you have

felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its youthful exuberance to the mouth of its exhausted parent.

30. As to the wealth which the colonies have drawn 5  
from the sea by their fisheries, you had all that matter  
fully opened at your bar. You surely thought those  
acquisitions of value, for they seemed even to excite your  
envy ; and yet the spirit by which that enterprising em-  
ployment has been exercised ought rather, in my opinion, 10  
to have raised your esteem and admiration. And pray,  
Sir, what in the world is equal to it? Pass by the other  
parts, and look at the manner in which the people of  
New England have of late carried on the whale fishery.  
Whilst we follow them among the tumbling mountains 15  
of ice, and behold them penetrating into the deepest  
frozen recesses of Hudson Bay and Davis Strait, whilst  
we are looking for them beneath the Arctic Circle, we  
hear that they have pierced into the opposite region of  
polar cold, that they are at the antipodes and engaged 20  
under the frozen Serpent of the south. Falkland Island,  
which seemed too remote and romantic an object for the  
grasp of national ambition, is but a stage and resting-  
place in the progress of their victorious industry. Nor  
is the equinoctial heat more discouraging to them than 25  
the accumulated winter of both the poles. We know  
that whilst some of them draw the line and strike the  
harpoon on the coast of Africa, others run the longitude  
and pursue their gigantic game along the coast of Brazil.  
No sea but what is vexed by their fisheries. No climate 30  
that is not witness to their toils. Neither the persever-  
ance of Holland nor the activity of France nor the

dexterous and firm sagacity of English enterprise ever carried this most perilous mode of hardy industry to the extent to which it has been pushed by this recent people—a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the colonies in general owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that through a wise and salutary neglect a generous nature has been suffered to take her own way to perfection;—when I reflect upon these effects, when I see how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigor relents. I pardon something to the spirit of liberty.

(32) 31. I am sensible, Sir, that all which I have asserted in my detail is admitted in the gross, but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object; it is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art will of course have some predilection for it. Those who wield the thunder of the state may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favor of prudent management than of force,—considering force not as an odious, but a feeble, instrument for preserving a people so numerous, so active, so growing,

so spirited as this, in a profitable and subordinate connection with us.

33 32. First, Sir, permit me to observe that the use of force alone is but *temporary*. It may subdue for a moment, but it does not remove the necessity of subduing 5 again ; and a nation is not governed which is perpetually to be conquered.

34 33. My next objection is its *uncertainty*. Terror is not always the effect of force ; and an armament is not a victory. If you do not succeed, you are without re- 10 source : for conciliation failing, force remains ; but force failing, no further hope of reconciliation is left. Power and authority are sometimes bought by kindness ; but they can never be begged as alms by an impoverished and defeated violence. 15

35 34. A further objection to force is that you *impair the object* by your very endeavors to preserve it. The thing you fought for is not the thing which you recover ; but depreciated, sunk, wasted and consumed in the contest. Nothing less will content me than *whole America*. I do 20 not choose to consume its strength along with our own ; because in all parts it is the British strength that I consume. I do not choose to be caught by a foreign enemy at the end of this exhausting conflict ; and still less in the midst of it. I may escape ; but I can make no in- 25 surance against such an event. Let me add that I do not choose wholly to break the American spirit ; because it is the spirit that has made the country.

36 35. Lastly, we have no sort of *experience* in favor of force as an instrument in the rule of our colonies. Their 30 growth and their utility have been owing to methods altogether different. Our ancient indulgence has been said

to be pursued to a fault. It may be so ; but we know, if feeling is evidence, that our fault was more tolerable than our attempt to mend it, and our sin far more salutary than our penitence.

5<sup>3</sup> 36. These, Sir, are my reasons for not entertaining that high opinion of untried force, by which many gentlemen, for whose sentiments in other particulars I have great respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this  
10 object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce : I mean its *temper and character*.

38 37. In this character of the Americans a love of  
15 freedom is the predominating feature which marks and distinguishes the whole : and as an ardent is always a jealous affection, your colonies become suspicious, restive and untractable, whenever they see the least attempt to wrest from them by force or shuffle from them by chicane  
20 what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English colonies probably than in any other people of the earth ; and this from a great variety of powerful causes, which, to understand the true temper of their minds and the  
25 direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

39 38. First, the people of the colonies are descendants of Englishmen. England, Sir, is a nation which still, I hope, respects, and formerly adored, her freedom. The  
30 colonists emigrated from you when this part of your character was most predominant ; and they took this bias and direction the moment they parted from your hands.



They are therefore not only devoted to liberty, but to liberty according to English ideas and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object ; and every nation has formed to itself some favorite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens and most eloquent tongues have been exercised, the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the excellence of the English Constitution to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages to reside in a certain body called a House of Commons. They went much further : they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of the House of Commons as an immediate representative of the people, whether the old records had delivered this oracle or not. They took infinite pains to inculcate as a fundamental principle, that in all monarchies the people must in effect themselves, mediate or immediately, possess the power of granting their own money, or no shadow of liberty could subsist,



The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific point of taxing. Liberty might be safe or might be endangered in twenty  
5 other particulars without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not  
10 easy, indeed, to make a monopoly of theorems and corollaries. The fact is that they did thus apply those general arguments; and your mode of governing them, whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination that they, as well as  
15 you, had an interest in these common principles.

40 ~~39~~. They were further confirmed in this pleasing error by the form of their provincial legislative assemblies. Their governments are popular in an high degree: some are merely popular; in all the popular representa-  
20 tive is the most weighty; and this share of the people in their ordinary government never fails to inspire them with lofty sentiments and with a strong aversion from whatever tends to deprive them of their chief importance.

25 40. If anything were wanting to this necessary operation of the form of government, religion would have given it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also  
30 one main cause of this free spirit. The people are Protestants, and of that kind which is the most adverse to all implicit submission of mind and opinion. This is

a persuasion not only favorable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches from all that looks like absolute government is so much to be sought in their religious tenets as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favor and every kind of support from authority. The Church of England too was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our northern colonies is a refinement on the principle of resistance: it is the dissidence of dissent and the Protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the northern provinces, where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing most probably the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of foreigners which has been constantly flowing into these colonies has, for the greatest part, been composed of dissenters from the establishments of their several countries, and have brought with them a

temper and character far from alien to that of the people with whom they mixed.

42) Sir, I can perceive by their manner that some gentlemen object to the latitude of this description, because in the southern colonies the Church of England forms a large body and has a regular establishment. It is certainly true. There is, however, a circumstance attending these colonies, which, in my opinion, fully counterbalances this difference and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there that freedom, as in countries where it is a common blessing and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to commend the superior morality of this sentiment, which has at least as much pride as virtue in it ; but I cannot alter the nature of man. The fact is so ; and these people of the southern colonies are much more strongly and with a higher and more stubborn spirit attached to liberty than those to the northward. Such were all the ancient commonwealths ; such were our Gothic ancestors ; such in our days were the Poles ; and such will be all masters of slaves, who are not slaves themselves. In such a people the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

42. Permit me, Sir, to add another circumstance in our colonies, which contributes no mean part towards the growth and effect of this untractable spirit: I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful, and in most provinces it takes the lead. The greater number of the deputies sent to the Congress were lawyers. But all who read (and most do read) endeavor to obtain some smattering in that science. I have been told by an eminent bookseller that in no branch of his business, after tracts of popular devotion, were so many books as those on the law exported to the plantations. The colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's *Commentaries* in America as in England. General Gage marks out this disposition very particularly in a letter on your table. He states that all the people in his government are lawyers or smatterers in law; and that in Boston they have been enabled by successful chicane wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that this knowledge ought to teach them more clearly the rights of legislature, their obligations to obedience and the penalties of rebellion. All this is mighty well. But my honorable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that when great honors and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and

litigious. *Abeunt studia in mores.* This study renders men acute, inquisitive, dexterous, prompt in attack, ready in defence, full of resources. In other countries the people, more simple and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance and snuff the approach of tyranny in every tainted breeze.

- 10 43. The last cause of this disobedient spirit in the colonies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of  
15 this distance in weakening government. Seas roll and months pass between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in  
20 their pounces to the remotest verge of the sea. But there a power steps in that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that you should fret and rage, and bite the chains of Nature?  
25 Nothing worse happens to you than does to all nations who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern  
30 Egypt and Arabia and Kurdistan as he governs Thrace; nor has he the same dominion in Crimea and Algiers which he has at Brusa and Smyrna. Despotism itself is



obliged to truck and huckster. The sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all; and the whole of the force and vigor of his authority in his centre is derived from a prudent relaxation in all his borders. Spain, in her 5 provinces, is perhaps not so well obeyed as you are in yours. She complies too; she submits; she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

45 44. Then, Sir, from these six capital sources: of de- 10  
scend, of form of government, of religion in the northern provinces, of manners in the southern, of education, of the remoteness of situation from the first mover of government,—from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people 15  
in your colonies, and increased with the increase of their wealth: a spirit, that unhappily meeting with an exercise of power in England, which, however lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume 20  
us.

40 45. I do not mean to commend either the spirit in this excess or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of 25  
liberty might be desired more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the colonists to be persuaded that their liberty is more secure when held in trust for them by us, as their guardians during a perpetual minority, than with any 30  
part of it in their own hands. The question is not whether their spirit deserves praise or blame, but what, in



the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections on its head. You see the magnitude, the importance, the temper, the habits, the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politics and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principle of authority and resistance has been pushed, upon both sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately all authority in America seemed to be nothing but an emanation from yours. Even the popular part of the colony constitution derived all its activity, and its first vital movement, from the pleasure of the crown. We thought, Sir, that the utmost which the discontented colonists could do was to disturb authority; we never dreamt they could of themselves supply it, knowing in general what an operose business it is to establish a government absolutely new. But having for our purposes in this contention resolved that none but an obedient assembly should sit, the humors of the people there, finding all passage through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government suffi-

cient for its purposes, without the bustle of a revolution or the troublesome formality of an election. Evident necessity and tacit consent have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells 5 you that the new institution is infinitely better obeyed than the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called: not the name of governor, as formerly; or committee, as at present. This 10 new government has originated directly from the people, and was not transmitted through any of the ordinary artificial media of a positive constitution. It was not a manufacture ready formed, and transmitted to them in that condition from England. The evil arising from 15 hence is this: that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind, as they had appeared before the trial. 20

47 46. Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect of anarchy, would instantly en- 25 force a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigor, for near a twelvemonth, without 30 governor, without public council, without judges, without executive magistrates. How long it will continue in this

state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles formerly believed infallible are either not of the importance they were imagined to be, or that we have not at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any further experiments which tend to put to the proof any more of these allowed opinions which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties and this concussion of all established opinions, as we do abroad. For, in order to prove that the Americans have no right to their liberties, we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that Americans ought not to be free, we are obliged to depreciate the value of freedom itself; and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

48 47. But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry. Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I would state that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your colonies and disturbs your government. These are: to

change that spirit as inconvenient, by removing the causes ; to prosecute it as criminal ; or to comply with it as necessary. I would not be guilty of an imperfect enumeration ; I can think of but these three. Another has indeed been started, that of giving up the colonies ; 5 but it met so slight a reception that I do not think myself obliged to dwell a great while upon it. It is nothing but a little sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing. 10

47 48. The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle ; but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. 15 This will appear by examining into the plans which have been proposed.

50 49. As the growing population in the colonies is evidently one cause of their resistance, it was last session mentioned in both Houses by men of weight, and 20 received not without applause, that in order to check this evil, it would be proper for the crown to make no further grants of land. But to this scheme there are two objections. The first, that there is already so much unsettled land in private hands as to afford room for an 25 immense future population, although the crown not only withheld its grants, but annihilated its soil. If this be the case, then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private 30 monopolists, without any adequate check to the growing and alarming mischief of population.

50. But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these  
5 deserts. If you drive the people from one place, they will carry on their annual tillage and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Appalachian  
10 Mountains. From thence they behold before them an immense plain, one vast, rich, level meadow ; a square of five hundred miles. Over this they would wander without a possibility of restraint ; they would change their manners with the habits of their life ; would soon  
15 forget a government by which they were disowned ; would become hordes of English Tartars, and pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counsellors, your collectors and comptrollers, and  
20 of all the slaves that adhered to them. Such would, and in no long time must, be the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of an endeavor to keep  
25 as a lair of wild beasts that earth which God, by an express charter, has given to the children of men. Far different and surely much wiser has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments. We have  
30 invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each



tract of land, as it was peopled, into districts, that the ruling power should never be wholly out of sight. We have settled all we could ; and we have carefully attended every settlement with government.

51. Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging-in population to be neither prudent nor practicable.

52. To impoverish the colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind,—a disposition even to continue the restraint after the offence, looking on ourselves as rivals to our colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than sufficient for this. I do not look on the direct and immediate power of the colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider that we have colonies for no purpose but to be serviceable to us, it seems to my poor understanding a little preposterous to make them un-serviceable in order to keep them obedient. It is, in truth, nothing more than the old and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you have completed your system of impoverishment, that Nature still proceeds in her ordinary course ; that discontent will increase with misery ; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity may be



strong enough to complete your ruin. *Spoliatis arma supersunt.*

53. The temper and character which prevail in our colonies are, I am afraid, unalterable by any human art.
- 5 We cannot, I fear, falsify the pedigree of this fierce people and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition ; your speech would
- 10 betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

54. I think it is nearly as little in our power to change their republican religion as their free descent, or to substitute the Roman Catholic as a penalty, or the Church
- 15 of England as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World ; and I should not confide much to their efficacy in the New. The education of the Americans is also on the same unalterable bottom with their religion. You
- 20 cannot persuade them to burn their books of curious science ; to banish their lawyers from their courts of laws ; or to quench the lights of their assemblies by refusing to choose those persons who are best read in their privileges. It would be no less impracticable to think
- 25 of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us ; not quite so effectual ; and perhaps in the end full as difficult to be kept in obedience.

- 30 55. With regard to the high aristocratic spirit of Virginia and the southern colonies, it has been proposed, I know, to reduce it by declaring a general enfranchise-

ment of their slaves. This project has had its advocates and panegyrists; yet I never could argue myself into any opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances of it. It is sometimes as hard to persuade slaves to be free as it is to compel freemen to be slaves; and in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American 10 master may enfranchise too, and arm servile hands in defence of freedom?—a measure to which other people have had recourse more than once, and not without success, in a desperate situation of their affairs.

56. Slaves as these unfortunate black people are, and 15 dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which has sold them to their present masters? from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An 20 offer of freedom from England would come rather oddly, shipped to them in an African vessel, which is refused an entry into the ports of Virginia or Carolina, with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant 25 to publish his proclamation of liberty and to advertise his sale of slaves.

57. But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all 30 the causes which weaken authority by distance will continue.

Ye gods, annihilate but space and time,  
And make two lovers happy!

was a pious and passionate prayer, but just as reasonable as many of the serious wishes of very grave and solemn politicians.

58.57 If then, Sir, it seems almost desperate to think of any alterative course for changing the moral causes (and not quite easy to remove the natural) which produce prejudices irreconcilable to the late exercise of our authority, but that the spirit infallibly will continue; and continuing, will produce such effects as now embarrass us,—the second mode under consideration is to prosecute that spirit in its overt acts as *criminal*.

59.60 At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters, that there is a very wide difference in reason and policy between the mode of proceeding on the irregular conduct of scattered individuals, or even of bands of men, who disturb order within the state, and the civil dissensions which may, from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) at the bar. I am not ripe to pass sentence on the gravest public bodies, entrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens,

upon the very same title that I am. I really think that for wise men this is not judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

60. Perhaps, Sir, I am mistaken in my idea of an empire as distinguished from a single state or kingdom. But my idea of it is this: that an empire is the aggregate of many states under one common head, whether this head be a monarch or a presiding republic. It does in such constitutions frequently happen (and nothing but 10 the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes—often, too, very 15 bitter disputes—and much ill blood will arise. But though every privilege is an exemption (in the case) from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*, to imply a superior power; for to talk of the 20 privileges of a state or of a person who has no superior, is hardly any better than speaking nonsense. Now in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent than for 25 the head of the empire to insist that, if any privilege is pleaded against his will or his acts, [that] his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces 30 to make no distinctions on their part? Will it not teach them that the government against which a claim of lib-

erty is tantamount to high treason is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

5 61. We are, indeed, in all disputes with the colonies, by the necessity of things, the judge. It is true, Sir. But I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot  
10 proceed with a stern, assured, judicial confidence, until I find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect that, in my little reading upon such contests as these, the sense of mankind has at least as often de-  
15 cided against the superior as the subordinate power. Sir, let me add, too, that the opinion of my having some abstract right in my favor would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercise under certain cir-  
20 cumstances, were not the most odious of all wrongs and the most vexatious of all injustice. Sir, these considerations have great weight with me, when I find things so circumstanced, that I see the same party at once a civil litigant against me in point of right and a culprit before  
25 me, while I sit as a criminal judge on acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation  
30 he will.

62. There is, Sir, also a circumstance which convinces me that this mode of criminal proceeding is not



(at least in the present stage of our contest) altogether expedient, which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately declaring a rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought 5 hither, under an act of Henry the Eighth, for trial. For though rebellion is declared, it is not proceeded against as such; nor have any steps been taken towards the apprehension or conviction of any individual offender, either on our late or our former address; but modes of 10 public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power than the punishment of rebellious subjects. All this seems rather inconsistent; but it shows how difficult it is to apply these juridical 15 ideas to our present case.

63. In this situation, let us seriously and coolly ponder. What is it we have got by all our menaces, which have been many and ferocious? What advantage have we derived from the penal laws we have passed, 20 and which, for the time, have been severe and numerous? What advances have we made towards our object, by the sending of a force which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation, after 25 such confident hopes, bold promises and active exertions, I cannot for my life avoid a suspicion that the plan itself is not correctly right.

64. If, then, the removal of the causes of this spirit of American liberty be for the greater part, or rather 30 entirely, impracticable; if the ideas of criminal process be inapplicable, or if applicable, are in the highest de-



gree inexpedient ; what way yet remains ? No way is open but the third and last,—to comply with the American spirit as necessary ; or, if you please, to submit to it as a necessary evil.

5 65. If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concession ought to be. To ascertain the nature of our concession, we must look at their complaint. The colonies complain that they have not the characteristic mark and seal of  
10 British freedom. They complain that they are taxed in a Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask,—  
15 not what you may think better for them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession ; whereas our present theme is the mode of giving satisfaction.

66. Sir, I think you must perceive that I am resolved  
20 this day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle,—but it is true ; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound learning are fond of displaying it on this profound subject.  
25 But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a power excepted and reserved out of the general trust of government ; and how far all mankind, in all forms of polity,  
30 are entitled to an exercise of that right by the charter of Nature ; or whether, on the contrary, a right of taxation

is necessarily involved in the general principle of legislation and inseparable from the ordinary supreme power. These are deep questions, where great names militate against each other ; where reason is perplexed ; and an appeal to authorities only thickens the confusion : for high and reverend authorities lift up their heads on both sides ; and there is no sure footing in the middle. This point is the great

Serbonian bog,  
Betwixt Damiaata and Mount Casius old,  
Where armies whole have sunk.

10

I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is, not whether you have a right to render your people miserable, but whether it is not your interest to make them happy. It is not what a lawyer tells me I *may* do, but what humanity, reason and justice tell me I *ought* to do. Is a politic act the worse for being a generous one? Is no concession proper but that which is made from your want of right to keep what you grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim, because you have your evidence-room full of titles and your magazines stuffed with arms to enforce them? What signify all those titles and all those arms? Of what avail are they, when the reason of the thing tells me that the assertion of my title is the loss of my suit ; and that I could do nothing but wound myself by the use of my own weapons?

67. Such is steadfastly my opinion of the absolute necessity of keeping up the concord of this empire by a unity of spirit, though in a diversity of operations, that

30

if I were sure the colonists had at their leaving this country sealed a regular compact of servitude, that they had solemnly abjured all the rights of citizens, that they had made a vow to renounce all ideas of liberty for  
 5 them and their posterity to all generations ; yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two million of men, impatient of servitude, on the principles of freedom. I am not determining a point of law, I am  
 10 restoring tranquillity ; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

68. My idea, therefore, without considering whether  
 15 we yield as matter of right or grant as matter of favor, is *to admit the people of our colonies into an interest in the Constitution ;* and by recording that admission in the journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we mean  
 20 forever to adhere to that solemn declaration of systematic indulgence.

69. Some years ago, the repeal of a revenue act, upon its understood principle, might have served to show that we intended an unconditional abatement of the ex-  
 25 ercise of a taxing power. Such a measure was then sufficient to remove all suspicion and to give perfect content. But unfortunate events since that time may make something further necessary ; and not more necessary for the satisfaction of the colonies than for the dignity and  
 30 consistency of our own future proceedings.

70. I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be

received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too acute ; we are too exquisite in our conjectures of the future, for men oppressed with such great and present evils. The more moderate among the opposers of parliamentary concession freely confess that they hope no good from taxation ; but they apprehend the colonists have further views, and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced that this was the intention from the beginning, and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language, even of a gentleman of real moderation and of a natural temper well adjusted to fair and equal government. I am, however, Sir, not a little surprised at this kind of discourse whenever I hear it ; and I am the more surprised on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths and on the same day.

71. For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the noble lord in the blue ribbon shall tell you that the restraints on trade are futile and useless, of no advantage to us, and of no burden to those on whom they are imposed ; that the trade to America is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

72. Such is the merit of the trade laws in this posture of the debate. But when strong internal circumstances are urged against the taxes ; when the scheme is dissected ; when experience and the nature of things are brought to

prove, and do prove, the utter impossibility of obtaining an effective revenue from the colonies;—when these things are pressed, or rather press themselves, so as to drive the advocates of colony taxes to a clear admission  
5 of the futility of the scheme; then, Sir, the sleeping trade laws revive from their trance, and this useless taxation is to be kept sacred, not for its own sake, but as a counterguard and security of the laws of trade.

73. Then, Sir, you keep up revenue laws which are  
10 mischievous in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value; and yet one is always to be defended for the sake of the other. But I cannot agree with the noble lord nor with  
15 the pamphlet from whence he seems to have borrowed these ideas concerning the inutility of the trade laws; for without idolizing them, I am sure they are still in many ways of great use to us, and in former times they have been of the greatest. They do confine, and they  
20 do greatly narrow, the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the revenue laws form any security whatsoever to the commercial regulations; or that these commercial regulations are the true ground of the  
25 quarrel; or that the giving way in any one instance of authority is to lose all that may remain unconceded.

74. One fact is clear and indisputable: the public and avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new  
30 questions; but certainly the least bitter and the fewest of all on the trade laws. To judge which of the two be the real, radical cause of quarrel, we have to see whether



the commercial dispute did, in order of time, precede the dispute on taxation? There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real cause of quarrel, it is absolutely necessary to put the taxes out 5 of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain. Unless you consent to remove this cause of difference, it is impos- 10 sible with decency to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their own acts, but on your conjectures. Surely it is preposterous at the 15 very best. It is not justifying your anger by their misconduct, but it is converting your ill-will into their delinquency.

75. But the colonies will go further. Alas! alas! when will this speculating against fact and reason end? 20 What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist in which it is proper for the sovereign to accede to the desires of his discontented subjects? Is there anything peculiar in this case to make a rule for 25 itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim that the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to resist and rebel?

76. All these objections being in fact no more than 30 suspicions, conjectures, divinations, formed in defiance of fact and experience, they did not, Sir, discourage me

from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

77. In forming a plan for this purpose, I endeavored to put myself in that frame of mind which was the most natural and the most reasonable, and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities, a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution and so flourishing an empire, and, what is a thousand times more valuable, the treasury of the maxims and principles which formed the one and obtained the other.

78. During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs showed that they had not chosen the most perfect standard. But, Sir, I am sure that I shall not be misled, when in a case of constitutional difficulty I consult the genius of the English Constitution. Consulting at that oracle (it was with all due humility and piety), I found four capital examples in a similar case before me: those of Ireland, Wales, Chester and Durham.

79. Ireland before the English conquest, though never governed by a despotic power, had no Parliament. How far the English Parliament itself was at that time modelled according to the present form is disputed among antiquarians. But we have all the

reason in the world to be assured that a form of Parliament such as England then enjoyed she instantly communicated to Ireland ; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage and the feudal knighthood, the roots of our primitive constitution, were early transplanted into that soil, and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberties had exactly the same boundaries. Your standard could never be advanced an inch before your privileges. Sir John Davies shows beyond a doubt that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing ; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered that nothing could make that country English in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English Constitution, that conquered Ireland. From that time Ireland has ever had a general Parliament, as she had before a partial Parliament. You changed the people, you altered the religion, but you never touched the form or the vital substance of free government in that kingdom. You deposed kings ; you restored them ; you altered the succession to theirs as

well as to your own crown ; but you never altered their constitution, the principle of which was respected by usurpation, restored with the restoration of monarchy, and established, I trust, forever by the glorious Revolution. This has made Ireland the great and flourishing kingdom that it is ; and from a disgrace and a burden intolerable to this nation, has rendered her a principal part of her strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles and on the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment, if the casual deviations from them at such times were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the Constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve, if they had no other fund to live on than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British Empire.

80. My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might have been, was destroyed, and no good one was substituted in its place. The care of that tract was put into the hands of Lords Marchers,—a form of govern-

ment of a very singular kind, a strange, heterogeneous monster, something between hostility and government ; perhaps it has a sort of resemblance, according to the modes of those times, to that of commander-in-chief at present, to whom all civil power is granted as secondary. 5 The manners of the Welsh nation followed the genius of the government : the people were ferocious, restive, savage, and uncultivated, sometimes composed, never pacified. Wales, within itself, was in perpetual disorder ; and it kept the frontier of England in perpetual alarm. 10 Benefits from it to the state there were none. Wales was only known to England by incursion and invasion.

81. Sir, during that state of things Parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They pro- 15 hibited by statute the sending all sorts of arms into Wales, as you prohibit by proclamation (with something more of doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) 20 to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained that his trial 25 should be always by English. They made acts to restrain trade, as you do ; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute-book was not quite so much swelled as it is now, you find 30 no less than fifteen acts of penal regulation on the subject of Wales.



82. Here we rub our hands—A fine body of precedents for the authority of Parliament and the use of it ! —I admit it fully ; and pray add likewise to these precedents, that all the while Wales rid this kingdom like an  
5 *incubus* ; that it was an unprofitable and oppressive burden ; and that an Englishman travelling in that country could not go six yards from the high-road without being murdered.

83. The march of the human mind is slow. Sir, it  
10 was not until after two hundred years discovered that by an eternal law Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill-husbandry of injustice. They found that the tyranny of a free people  
15 could of all tyrannies the least be endured ; and that laws made against an whole nation were not the most effectual methods for securing its obedience. Accordingly, in the twenty-seventh year of Henry the Eighth, the course was entirely altered. With a preamble stat-  
20 ing the entire and perfect rights of the crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established ; the military power gave way to the civil ; the marches were turned into counties. But that a nation should have a  
25 right to English liberties, and yet no share at all in the fundamental security of these liberties,—the grant of their own property,—seemed a thing so incongruous that eight years after,—that is, in the thirty-fifth of that reign,—a complete and not ill-proportioned representa-  
30 tion by counties and boroughs was bestowed upon Wales by act of Parliament. From that moment, as by a charm, the tumults subsided ; obedience was restored ;

peace, order and civilization followed in the train of liberty. When the day-star of the English Constitution had arisen in their hearts, all was harmony within and without :—

—Simul alba nautis	5
Stella refulsit,	
Defluit saxis agitatus humor ;	
Concidunt venti, fugiuntque nubes,	
Et minax (quod sic voluere) ponto	
Unda recumbit.	10

84. The very same year the County Palatine of Chester received the same relief from its oppressions and the same remedy to its disorders. Before this time Chester was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to 15 destroy the rights of others ; and from thence Richard the Second drew the standing army of archers with which for a time he oppressed England. The people of Chester applied to Parliament in a petition penned as I shall read to you :— 20

To the King our Sovereign Lord, in most humble wise shewn unto your most excellent Majesty the inhabitants of your Grace's County Palatine of Chester: (1) That where the said County Palatine of Chester is and hath been always hitherto exempt, excluded and separated out and from your high court of Parliament, 25 to have any knights and burgesses within the said court ; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses and damages, as well in their lands, goods and bodies, as in the good, civil and politic governance and maintenance of the commonwealth of their said country. (2) And forasmuch 30 as the said inhabitants have always hitherto been bound by the acts and statutes made and ordained by your said Highness and

your most noble progenitors, by authority of the said court, as far forth as other counties, cities and boroughs have been, that have had their knights and burgesses within your said court of Parliament, and yet have had neither knight ne burgess there for the said County Palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with acts and statutes made within the said court, as well derogatory unto the most ancient jurisdictions, liberties and privileges of your said County Palatine, as prejudicial unto the commonwealth, quietness, rest and peace of your Grace's most bounden subjects inhabiting within the same.

85. What did Parliament with this audacious address? Reject it as a libel? Treat it as an affront to government? Spurn it as a derogation from the rights of legislature? Did they toss it over the table? Did they burn it by the hands of the common hangman? They took the petition of grievance, all rugged as it was, without softening or temperament, unpurged of the original bitterness and indignation of complaint; they made it the very preamble to their act of redress, and consecrated its principle to all ages in the sanctuary of legislation.

86. Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom, and not servitude, is the cure for anarchy; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of Chester was followed in the reign of Charles the Second with regard to the County Palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester act;

and without affecting the abstract extent of the authority of Parliament, it recognizes the equity of not suffering any considerable district in which the British subjects may act as a body, to be taxed without their own voice in the grant.

87. Now if the doctrines of policy contained in these preambles and the force of these examples in the acts of Parliaments avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? 10 The preamble of the act of Henry the Eighth says the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take 15 that as a standard to measure the rest, there is no comparison. The people cannot amount to above 200,000, —not a tenth part of the number in the colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern America by penal statutes? 20 You made fifteen for Wales. But your legislative authority is perfect with regard to America. Was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! does the electric force of virtual representation more easily pass over the Atlantic 25 than pervade Wales, which lies in your neighborhood? or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors thought this sort of virtual representation, however ample, to be totally insufficient for the freedom 30 of the inhabitants of territories that are so near and comparatively so inconsiderable. How then can I think it

sufficient for those which are infinitely greater and infinitely more remote?

88. You will now, Sir, perhaps imagine that I am on the point of proposing to you a scheme for a representation of the colonies in Parliament. Perhaps I might be inclined to entertain some such thought; but a great flood stops me in my course. *Opposuit natura*—I cannot remove the eternal barriers of the creation. The thing, in that mode, I do not know to be possible. As  
10 I meddle with no theory, I do not absolutely assert the impracticability of such a representation: but I do not see my way to it; and those who have been more confident have not been more successful. However, the arm of public benevolence is not shortened, and there are  
15 often several means to the same end. What Nature has disjoined in one way Wisdom may unite in another. When we cannot give the benefit as we would wish, let us not refuse it altogether. If we cannot give the principal, let us find a substitute. But how? Where? What  
20 substitute?

89. Fortunately I am not obliged for the ways and means of this substitute to tax my own unproductive invention. I am not even obliged to go to the rich treasury of the fertile framers of imaginary commonwealths,  
25 not to the *Republic* of Plato, not to the *Utopia* of More, not to the *Oceana* of Harrington. It is before me; it is at my feet,—

And the rude swain  
Treads daily on it with his clouted shoon.

30 I only wish you to recognize, for the theory, the ancient constitutional policy of this kingdom with regard



to representation, as that policy has been declared in acts of Parliament; and as to the practice, to return to that mode which a uniform experience has marked out to you as best, and in which you walked with security, advantage and honor, until the year 1763.

90. My resolutions therefore mean to establish the equity and justice of a taxation of America by *grant*, and not by *imposition*; to mark the *legal competency* of the colony assemblies for the support of their government in peace and for public aids in time of war; to acknowledge that this legal competency has had a *dutiful and beneficial exercise*; and that experience has shown the *benefit of their grants* and the *futility of parliamentary taxation as a method of supply*.

91. These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence that, if you admitted these, you would command an immediate peace and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine.

92. Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to

illustrate them where they may want explanation. The first is a resolution,—

That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament.

This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the constitution; it is taken nearly *verbatim* from acts of Parliament.

93. The second is like unto the first,—

That the said colonies and plantations have been liable to, and bounden by, several subsidies, payments, rates and taxes, given and granted by Parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of Parliament, of their own election, to represent the condition of their country; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest and peace of the subjects inhabiting within the same.

94. Is this description too hot or too cold, too strong or too weak? Does it arrogate too much to the supreme legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient acts of Parliament:—

Non meus hic sermo, sed quae praecepit Ofellus,  
Rusticus, abnormis sapiens.

It is the genuine produce of the ancient, rustic, manly,

home-bred sense of this country,—I did not dare to rub off a particle of the venerable rust that rather adorns and preserves, than destroys, the metal. It would be a profanation to touch with a tool the stones which construct the sacred altar of peace. I would not violate 5 with modern polish the ingenuous and noble roughness of these truly constitutional materials. Above all things, I was resolved not to be guilty of tampering,—the odious vice of restless and unstable minds. I put my foot in the tracks of our forefathers, where I can neither wander 10 nor stumble. Determining to fix articles of peace, I was resolved not to be wise beyond what was written ; I was resolved to use nothing else than the form of sound words, to let others abound in their own sense, and carefully to abstain from all expressions of my own. What 15 the law has said, I say. In all things else I am silent. I have no organ but for her words. This, if it be not ingenious, I am sure is safe.

95. There are indeed words expressive of grievance in this second resolution, which those who are resolved 20 always to be in the right will deny to contain matter of fact, as applied to the present case, although Parliament thought them true with regard to the counties of Chester and Durham. They will deny that the Americans were ever “touched and grieved” with the taxes. If 25 they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretence for this denial. But men may be sorely touched and deeply grieved in their privileges as well as in their purses. Men may lose little in property by the act which takes 30 away all their freedom. When a man is robbed of a trifle on the highway, it is not the twopence lost that consti-

tutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offence on the part of those who enjoyed such favors, operate as grievances. But were the Americans then not  
5 touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the sixth of George the Second? Else why were the  
10 duties first reduced to one-third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were  
15 likewise repealed, and which Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the colonies of a resolution to lay no more taxes on them, an admission that taxes would touch and  
20 grieve them? Is not the resolution of the noble lord in the blue ribbon, now standing on your journals, the strongest of all proofs that parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances and resolutions?

25 96. The next proposition is,—

That, from the distance of the said colonies and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said colonies.

This is an assertion of a fact. I go no further on the  
30 paper; though in my private judgment a useful representation is impossible. I am sure it is not desired by

them ; nor ought it, perhaps, by us : but I abstain from opinions.

97. The fourth resolution is,—

That each of the said colonies hath within itself a body, chosen in part or in the whole by the freemen, freeholders or other free inhabitants thereof, commonly called the general assembly, or general court ; with powers legally to raise, levy and assess, according to the several usages of such colonies, duties and taxes towards defraying all sorts of public services.

98. This competence in the colony assemblies is certain. It is proved by the whole tenor of their acts of supply in all the assemblies, in which the constant style of granting is, “An aid to his Majesty” ; and acts granting to the crown have regularly for near a century passed the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British Parliament can grant to the crown, are wished to look to what is done, not only in the colonies, but in Ireland, in one uniform, unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the crown. I say that if the crown could be responsible, his Majesty—but certainly the ministers, and even these law officers themselves through whose hands the acts pass, biennially in Ireland or annually in the colonies, are in an habitual course of committing impeachable offences. What habitual offenders have been all presidents of the council, all secretaries of state, all first lords of trade, all attorneys and all solicitors-general ! However, they are safe, as no one impeaches them ; and there is no ground of charge against them, except in their own unfounded theories.



99. The fifth resolution is also a resolution of fact,—

That the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of state; and that their right to grant the same and their cheerfulness and sufficiency in the said grants have been at sundry times acknowledged by Parliament.

To say nothing of their great expenses in the Indian wars, and not to take their exertion in foreign ones so high as the supplies in the year 1695; not to go back to their public contributions in the year 1710, I shall begin to travel only where the journals give me light,—resolving to deal in nothing but fact authenticated by parliamentary record, and to build myself wholly on that solid basis.

100. On the 4th of April, 1748, a committee of this House came to the following resolution:—

*Resolved*, That it is the opinion of this committee *that it is just and reasonable* that the several provinces and colonies of Massachusetts Bay, New Hampshire, Connecticut and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the crown of Great Britain the island of Cape Breton and its dependencies.

101. These expenses were immense for such colonies. They were above £200,000 sterling: money first raised and advanced on their public credit.

102. On the 28th of January, 1756, a message from the king came to us to this effect:—

His Majesty, being sensible of the zeal and vigor with which his faithful subjects of certain colonies in North America have exerted themselves in defence of his Majesty's just rights and posses-

sions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a *proper reward and encouragement*.

103. On the 3d of February, 1756, the House came to a suitable resolution, expressed in words nearly the same as those of the message; but with the further addition that the money then voted was as an *encouragement* to the colonies to exert themselves with vigor. It will not be necessary to go through all the testimonies which your own records have given to the truth of my resolutions. I will only refer you to the places in the journals:—

Vol. XXVII.—16th and 19th May, 1757.

Vol. XXVIII.—June 1st, 1758; April 26th and 30th, 1759; March 26th and 31st, and April 28th, 1760; Jan. 9th and 20th, 1761.

Vol. XXIX.—Jan. 22d and 26th, 1762; March 14th and 17th, 1763.

104. Sir, here is the repeated acknowledgment of Parliament that the colonies not only gave, but gave to satiety. This nation has formally acknowledged two things: first, that the colonies had gone beyond their abilities, Parliament having thought it necessary to reimburse them; secondly, that they had acted legally and laudably in their grants of money and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not bestowed for acts that are unlawful; and encouragement is not held out to things that deserve reprehension. My resolution therefore does nothing more than collect into one proposition what is scattered through your journals. I give you nothing but your own; and you cannot refuse in the gross what you have so often acknowledged in detail.

The admission of this, which will be so honorable to them and to you, will indeed be mortal to all the miserable stories by which the passions of the misguided people have been engaged in an unhappy system. The people heard, indeed, from the beginning of these disputes, one thing continually dinned in their ears,—that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying nothing stand when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this House that the colonies were then in debt two millions six hundred thousand pounds sterling money, and was of opinion they would discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove quite so ample as both the colonies and he expected. The calculation was too sanguine; the reduction was not completed till some years after, and at different times in different colonies. However, the taxes after the war continued too great to bear any addition with prudence or propriety; and when the burdens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No colony since that time ever has had any requisition whatsoever made to it.

105. We see the sense of the crown and the sense of Parliament on the productive nature of a *revenue by grant*. Now search the same journals for the produce of the *revenue by imposition*. Where is it? Let us know

the volume and the page. What is the gross, what is the net produce? To what service is it applied? How have you appropriated its surplus? What, can none of the many skilful index-makers that we are now employing find any trace of it? Well, let them and that rest together. But are the journals, which say nothing of the revenue, as silent on the discontent? Oh, no! a child may find it. It is the melancholy burden and blot of every page.

106. I think, then, I am, from those journals, justified in the sixth and last resolution, which is,—

That it hath been found by experience that the manner of granting the said supplies and aids by the said general assemblies hath been more agreeable to the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids in Parliament, to be raised and paid in the said colonies.

107. This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say that you were driven by any necessity to an exercise of the utmost rights of legislature. You cannot assert that you took on yourselves the task of imposing colony taxes, from the want of another legal body that is competent to the purpose of supplying the exigencies of the state without wounding the prejudices of the people. Neither is it true that the body so qualified and having that competence had neglected the duty.

108. The question now, on all this accumulated matter, is,—whether you will choose to abide by a profitable experience or a mischievous theory; whether you choose to build on imagination or fact; whether you prefer en-

joyment or hope ; satisfaction in your subjects or discontent ?

109. If these propositions are accepted, everything which has been made to enforce a contrary system must, I take it for granted, fall along with it. On that ground I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner :—

That it may be proper to repeal an act made in the seventh year of the reign of his present Majesty, entitled, “An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the exportation from this kingdom, of coffee and cocoanuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on China earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations.”—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, “An act to discontinue, in such manner and for such time as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares and merchandise, at the town and within the harbor of Boston, in the province of Massachusetts Bay, in North America.”—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, “An act for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the law, or for the suppression of riots and tumults, in the province of Massachusetts Bay, in New England.”—And that it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, “An act for the better regulating the government of the province of the Massachusetts Bay, in New England.”—And also, that it may be proper to explain and amend an act made in the thirty-fifth year of the reign of King Henry the Eighth, entitled, “An act for the trial of treasons committed out of the king’s dominions.”



110. I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the king's pleasure) it was passed, as I apprehend, with less regularity and on more partial principles than it ought. 5 The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the Restraining Bill of the present session does not go to the length of the Boston Port Act. The same ideas of 10 prudence which induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise but to reconcile, to be satisfied with the punishment already partially inflicted. 15

111. Ideas of prudence and accommodation to circumstances prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts Colony, though the crown has far less power in the two former provinces than it 20 enjoyed in the latter, and though the abuses have been full as great and as flagrant in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts Bay. Besides, Sir, the act which changes 25 the charter of Massachusetts is in many particulars so exceptionable that, if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in the gov- 30 ernor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is

shameful to behold such a regulation standing among English laws.

112. The act for bringing persons accused of committing murder under the orders of government to England for trial is but temporary. That act has calculated the probable duration of our quarrel with the colonies, and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation; and therefore must, on my principle, get rid of that most  
10 justly obnoxious act.

113. The act of Henry the Eighth for the trial of treasons I do not mean to take away, but to confine it to its proper bounds and original intention; to make it expressly for trial of treasons (and the greatest treasons  
15 may be committed) in places where the jurisdiction of the crown does not extend.

114. Having guarded the privileges of local legislature, I would next secure to the colonies a fair and unbiased judicature; for which purpose, Sir, I propose  
20 the following resolution:—

That, from the time when the general assembly, or general court, of any colony or plantation in North America shall have appointed by act of assembly duly confirmed, a settled salary to the offices of the chief justice and other judges of the superior  
25 court, it may be proper that the said chief justice and other judges of the superior courts of such colony shall hold his and their office and offices during their good behavior, and shall not be removed therefrom but when the said removal shall be adjudged by his Majesty in council, upon a hearing on complaint from the general  
30 assembly, or on a complaint from the governor or council or the house of representatives, severally, of the colony in which the said chief justice and other judges have exercised the said offices.

115. The next resolution relates to the courts of admiralty. It is this:—

That it may be proper to regulate the courts of admiralty or vice-admiralty authorized by the fifteenth chapter of the fourth of George the Third, in such a manner as to make the same more commodious to those who sue or are sued in the said courts; and to provide for the more decent maintenance of the judges in the same.

116. These courts I do not wish to take away: they are in themselves proper establishments. This court is one of the capital securities of the Act of Navigation. The extent of its jurisdiction, indeed, has been increased; but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a court absolutely new. But courts incommodiously situated in effect deny justice; and a court partaking in the fruits of its own condemnation is a robber. The Congress complain, and complain justly, of this grievance.

117. These are the three consequential propositions. I have thought of two or three more; but they come rather too near detail and to the province of executive government, which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unrepealed will be, I hope, rather unseemly incumbrances on the building than very materially detrimental to its strength and stability.

118. Here, Sir, I should close; but I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be that, in resorting to the

doctrine of our ancestors as contained in the preamble to the Chester Act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation; and that the colonies, grounding themselves upon that doctrine, will apply it to all parts of legislative authority.

119. To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority, I answer that *the words are the words of Parliament, and not mine*; and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have chosen the words of an act of Parliament which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table in confirmation of his tenets. It is true that Lord Chatham considered these preambles as declaring strongly in favor of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume that these preambles are as favorable as possible to both, when properly understood,—favorable both to the rights of Parliament and to the privilege of the dependencies of this crown? But, Sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies, and which therefore falls in exactly with the case of the colonies. But whether the unrepresented counties were de jure or de facto bound, the preambles do not accurately distinguish; nor indeed was it necessary; for whether *de jure* or *de facto*, the legislature thought the

unfounded  
not drawn  
from language  
of preamble  
with logical  
accuracy.

to prove the  
taxation of  
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without their  
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to the colonies

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rights of  
by first  
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rights

Reply that Par-  
liament had been  
satisfied of it

exercise of the power of taxing, as of right or as of fact without right, equally a grievance and equally oppressive.

120. I do not know that the colonies have, in any general way or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair 5 to judge of the temper or disposition of any man or any set of men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is, besides, a very great mistake to imagine that mankind follow up practically any speculative 10 principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, 15 give you very striking and convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we 20 give and take; we remit some rights that we may enjoy others; and we choose rather to be happy citizens than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice 25 some civil liberties for the advantages to be derived from the communion and fellowship of a great empire. But in all fair dealings the thing bought must bear some proportion to the purchase paid. None will barter away the immediate jewel of his soul. Though a great house is apt to make slaves haughty, yet it is purchasing a part of 30 the artificial importance of a great empire too dear to pay for it all essential rights and all the intrinsic dignity of

*mental process which results in a inference*



human nature. None of us who would not risk his life rather than fall under a government purely arbitrary. But although there are some amongst us who think our Constitution wants many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country and risking everything that is dear to him. In every arduous enterprise we consider what we are to lose as well as what we are to gain ; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*. Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most fallacious of all sophistry.

121. The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it ; and they will rather be inclined to respect the acts of a superintending legislature, when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance my mind most perfectly acquiesces ; and I confess I feel not the least alarm from the discontents which are to arise from putting people at their ease ; nor do I apprehend the destruction of this empire from giving, by an act of free grace and indulgence, to two millions of my fellow-citizens, some share of those rights upon which I have always been taught to value myself.

122. It is said, indeed, that this power of granting, vested in American assemblies, would dissolve the unity of the empire, which was preserved entire, although Wales and Chester and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity 5 means; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. England is the head, but she is not the head and the members too. Ireland has ever 10 had from the beginning a separate, but not an independent, legislature, which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion and the communication of 15 English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this 20 empire than I can draw from its example during these periods when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

123. But since I speak of these methods, I recollect, 25 Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the noble lord on the floor, which has been so lately received, and stands on your journals. I must be deeply concerned whenever it is my misfortune to continue a difference 30 with the majority of this House. But as the reasons for that difference are my apology for thus troubling you,

suffer me to state them in a very few words. I shall compress them into as small a body as I possibly can, having already debated that matter at large when the question was before the committee.

5 124. First, then, I cannot admit that proposition of a ransom by auction, because it is a mere project. It is a thing new, unheard of, supported by no experience, justified by no analogy, without example of our ancestors or root in the Constitution. It is neither regular parlia-  
10 mentary taxation nor colony grant. *Experimentum in corpore vili* is a good rule, which will ever make me adverse to any trial of experiments on what is certainly the most valuable of all subjects,—the peace of this empire.

15 125. Secondly, it is an experiment which must be fatal in the end to our Constitution. For what is it but a scheme for taxing the colonies in the antechamber of the noble lord and his successors? To settle the quotas and proportions in this House is clearly impossible. You,  
20 Sir, may flatter yourself you shall sit a state auctioneer with your hammer in your hand, and knock down to each colony as it bids. But to settle (on the plan laid down by the noble lord) the true proportional payment for four or five and twenty governments, according to the  
25 absolute and the relative wealth of each, and according to the British proportion of wealth and burden, is a wild and chimerical notion. This new taxation must therefore come in by the back door of the Constitution. Each quota must be brought to this House ready  
30 formed. You can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the

proposition? You cannot hear the counsel for all these provinces, quarrelling each on its own quantity of payment and its proportion to others. If you should attempt it, the committee of provincial ways and means, or by whatever other name it will delight to be called, 5 must swallow up all the time of Parliament.

126. Thirdly, it does not give satisfaction to the complaint of the colonies. They complain that they are taxed without their consent; you answer that you will fix the sum at which they shall be taxed. That is, you 10 give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon; it gives me pain to mention it; but you must be sensible that you will not perform this part of the compact. For suppose the colonies were to lay 15 the duties which furnished their contingent upon the importation of your manufactures, you know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation. So that when you come to explain yourself, it will be found 20 that you will neither leave to themselves the quantum nor the mode; nor indeed anything. The whole is delusion from one end to the other.

127. Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into 25 great and inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that colony agents should have general powers of taxing the colonies at their discretion, consider, I implore you, that the communication 30 by special messages and orders between these agents and their constituents on each variation of the case, when

the parties come to contend together and to dispute on their relative proportions, will be a matter of delay, perplexity and confusion that never can have an end.

128. If all the colonies do not appear at the outcry,  
5 what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory colonies who refuse all composition will remain taxed only to your old impositions, which, however grievous in principle, are  
10 trifling as to production. The obedient colonies in this scheme are heavily taxed; the refractory remain unburdened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly  
15 convinced that in the way of taxing you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these colonies on a par?  
20 Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home and to one of the very greatest articles of your own foreign trade. If you tax the import of that rebellious colony, what do you tax but your own manufactures or  
25 the goods of some other obedient and already well-taxed colony? Who has said one word on this labyrinth of detail which bewilders you more and more as you enter into it? Who has presented, who can present you with a clue to lead you out of it? I think, Sir, it is impos-  
30 sible that you should not recollect that the colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New



England fishery) that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burden those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single colony, especially Virginia and Maryland, the central and most important of them all.

129. Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling, and then you have no effectual revenue; or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

130. Reflect besides, that when you have fixed a quota for every colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a treasury extent against the failing colony. You must make new Boston Port Bills, new restraining laws, new acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day forward the empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the colonies, which one time or other must consume this whole empire. I allow indeed that the empire of Germany raises her revenue and her troops by quotas and contingents; but the revenue of the empire and the army of the empire is the worst revenue and the worst army in the world.

131. Instead of standing revenue, you will therefore

have a perpetual quarrel. Indeed, the noble lord who proposed this project of a ransom by auction seemed himself to be of that opinion. His project was rather designed for breaking the union of the colonies than for  
5 establishing a revenue. He confessed he apprehended that his proposal would not be to *their taste*. I say this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the noble lord meant nothing but merely to delude the nation by an airy  
10 phantom which he never intended to realize. But whatever his views may be, as I propose the peace and union of the colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

15 <sup>137</sup>132. Compare the two. This I offer to give you is plain and simple; the other full of perplexed and intricate mazes. This is mild; that harsh. This is found by experience effectual for its purposes; the other is a new project. This is universal; the other calculated for  
20 certain colonies only. This is immediate in its conciliatory operation; the other remote, contingent, full of hazard. Mine is what becomes the dignity of a ruling people,—gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in  
25 proposing it to you. I have indeed tired you by a long discourse; but this is the misfortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom!  
30 For my part, I feel my mind greatly disburdened by what I have done to-day. I have been the less fearful of trying your patience, because on this subject I mean to spare

it altogether in future. I have this comfort, that in every stage of the American affairs I have steadily opposed the measures that have produced the confusion, and may bring on the destruction, of this empire. I now go so far as to risk a proposal of my own. If I cannot give 5 peace to my country, I give it to my conscience.

1733. "But what," says the financier, "is peace to us without money? Your plan gives us no revenue." No! But it does; for it secures to the subject the power of REFUSAL, the first of all revenues. Experience is a 10 cheat and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill or by the fortune of man. It does not indeed vote you £152,750 11s. 2¾ths, nor any other 15 paltry limited sum; but it gives the strong-box itself, the fund, the bank, from whence only revenues can arise amongst a people sensible of freedom: *Posita luditur arca*. Cannot you in England, cannot you at this time of day, cannot you, an House of Commons, trust to the 20 principle which has raised so mighty a revenue and accumulated a debt of near 140 millions in this country? Is this principle to be true in England and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the colonies? Why should you 25 presume that in any country a body duly constituted for any function will neglect to perform its duty and abdicate its trust? Such a presumption would go against all governments in all modes. But in truth this dread of penury of supply from a free assembly has no foundation 30 in nature. For first observe, that besides the desire which all men have naturally of supporting the honor of



as I think it would not only be an act of injustice, but would be the worst economy in the world, to compel the colonies to a sum certain, either in the way of ransom or in the way of compulsory compact.

136. But to clear up my ideas on this subject,—a 5  
revenue from America transmitted hither,—do not delude yourselves: you never can receive it,—no, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract revenue from Bengal, you were obliged to return in loan what 10  
you had taken in imposition, what can you expect from North America? For certainly, if ever there was a country qualified to produce wealth, it is India; or an institution for the transmission, it is the East India Company. America has none of these aptitudes. If America 15  
gives you taxable objects on which you lay your duties here, and gives you at the same time a surplus by a foreign sale of her commodities to pay the duties on these objects which you tax at home, she has performed her part to the British revenue. But with regard to her own 20  
internal establishments, she may,—I doubt not she will, —contribute in moderation. I say in moderation; for she ought not to be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be con- 25  
siderable in her quarter of the globe. There she may serve you, and serve you essentially.

137. For that service, for all service, whether of revenue, trade or empire, my trust is in her interest in the British Constitution. My hold of the colonies is in the close 30  
affection which grows from common names, from kindred blood, from similar privileges and equal protection.



These are ties which, though light as air, are as strong as links of iron. Let the colonies always keep the idea of their civil rights associated with your government,—they will cling and grapple to you, and no force under heaven  
5 will be of power to tear them from their allegiance. But let it be once understood that your government may be one thing and their privileges another ; that these two things may exist without any mutual relation, the cement is gone, the cohesion is loosened and everything hastens  
10 to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces to-  
15 wards you. The more they multiply, the more friends you will have ; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain ; they may have it from  
20 Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true Act of Navigation which binds to you the commerce of  
25 the colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond which originally made and must still preserve the unity of the empire. Do not entertain so weak an imagination as that your registers and  
30 your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your

letters of office and your instructions and your suspending clauses are the things that hold together the great contexture of the mysterious whole. These things do not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them. It is the spirit of the English Constitution, which, infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the empire, even down to the minutest member. 10

138. Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which 15 inspires it with bravery and discipline? No! surely no! It is the love of the people; it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience 20 without which your army would be a base rabble, and your navy nothing but rotten timber.

139. All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us,—a 25 sort of people who think that nothing exists but what is gross and material; and who, therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and 30 master principles, which in the opinion of such men as I have mentioned have no substantial existence, are in truth

everything and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our station, and glow with zeal to fill our places as becomes our situation and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire; and have made the most extensive, and the only honorable conquests, not by destroying, but by promoting the wealth, the number, the happiness of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

140. In full confidence of this unalterable truth, I now (*quod felix faustumque sit!*) lay the first stone of the Temple of Peace; and I move you,—

That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament.

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Upon this resolution the previous question was put and carried: for the previous question, 270; against it, 78.

As the propositions were opened separately in the body of the speech, the reader perhaps may wish to see the whole of them together in the form in which they were

moved for. The first four motions and the last had the previous question put on them. The others were negatived. The words in italics were, by an amendment that was carried, left out of the motion ; which will appear in the journals, though it is not the practice to insert such amendments in the votes. 5

*Moved,*

That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of Parliament. 10

That the said colonies and plantations have been liable to, and bounden by, several subsidies, payments, rates and taxes, given and granted by Parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of Parliament, of their own election, to represent the condition of their country ; *by lack whereof they have been oftentimes touched and grieved by subsidies given, granted and assented to, in the said court, in a manner prejudicial to the commonwealth, quietness, rest and peace of the subjects inhabiting within the same.* 15 20

That, from the distance of the said colonies and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said colonies. 25

That each of the said colonies hath within itself a body, chosen in part or in the whole by the freemen, freeholders or other free inhabitants thereof, commonly called the general assembly, or general court ; with powers legally to raise, levy and assess, according to the several usages of such colonies, duties and taxes towards defraying all sorts of public services. 30

That the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted

several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal secretaries of state; and that their right to grant the same and their cheerfulness and sufficiency in the  
5 said grants have been at sundry times acknowledged by Parliament.

That it hath been found by experience that the manner of granting the said supplies and aids by the said general assemblies hath been more agreeable to the said colonies, and more beneficial and conducive to the public service, than the mode of giving and grant-  
10 ing aids in Parliament, to be raised and paid in the said colonies.

That it may be proper to repeal an act made in the seventh year of the reign of his present Majesty, entitled, "An act for granting certain duties in the British colonies and plantations in America; for allowing a drawback of the duties of customs upon the export-  
15 ation from this kingdom, of coffee and cocoanuts of the produce of the said colonies or plantations; for discontinuing the drawbacks payable on China earthenware exported to America; and for more effectually preventing the clandestine running of goods in the said colonies and plantations."

20 That it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, "An act to discontinue, in such manner and for such time as are therein mentioned, the landing and discharging, lading or shipping, of goods, wares and merchandise, at the town and within the harbor of Boston, in  
25 the province of Massachusetts Bay, in North America."

That it may be proper to repeal an act made in the fourteenth year of the reign of his present Majesty, entitled, "An act for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the law, or for the  
30 suppression of riots and tumults, in the province of Massachusetts Bay, in New England."

That it may be proper to repeal an act made in the fourteenth



year of the reign of his present Majesty, entitled, "An act for the better regulating the government of the province of the Massachusetts Bay, in New England."

That it may be proper to explain and amend an act made in the thirty-fifth year of the reign of King Henry the Eighth, entitled, 5  
"An act for the trial of treasons committed out of the king's dominions."

That from the time when the general assembly, or general court, of any colony or plantation in North America shall have appointed by act of assembly duly confirmed, a settled salary to the offices of 10  
the chief justice and other judges of the superior court, it may be proper that the said chief justice and other judges of the superior courts of such colony shall hold his and their office and offices during their good behavior, and shall not be removed therefrom but when the said removal shall be adjudged by his Majesty in 15  
council, upon a hearing on complaint from the general assembly, or on a complaint from the governor or council or the house of representatives, severally, of the colony in which the said chief justice and other judges have exercised the said offices.

That it may be proper to regulate the courts of admiralty or 20  
vice-admiralty authorized by the fifteenth chapter of the fourth of George the Third, in such a manner as to make the same more commodious to those who sue or are sued in the said courts; *and to provide for the more decent maintenance of the judges in the same.*

## NOTES

1. *Every consideration calls upon us for care in dealing with America.*

\*1:1. *Austerity of the Chair* is a formal expression, having no personal reference to Sir Fletcher Norton, who was Speaker,—a man petulant rather than austere. Burke wishes to *ingratiate* himself with the House by complimenting it in the person of its chairman.

1:3. *Human frailty*: One of many examples in the speech, of humility assumed for the sake of oratorical effect.

Oratorical egotism—the assumption of humility or its opposite, complacency, in addressing an audience—was characteristic of Demosthenes and Cicero. Burke and other British orators of what might now be called the “old school,” were proud to adopt what they regarded as an elegant and useful practice. Cicero was, in a special sense, Burke’s model.

1:8. *To my infinite surprise, etc.*, is evidence that the introductory paragraph was unpremeditated. The speech as a whole was extempore in form, though of course in substance it had been most carefully studied. It was written out and edited by Burke himself for publication.

*The grand penal bill*: Burke’s name for a measure which had been proposed by Lord North, February 10, 1775, six weeks before Burke delivered the present speech. The New England colonies, especially Massachusetts, were to be punished for the obstinate opposition they had shown towards England’s recent efforts to regulate their commerce. England had insisted that she had the right to control the importation of tea into the colonies. The opposition aroused by this claim was intensified by other acts of Parliament, such as quartering troops upon the colonists, interfering with the judiciary of Massachusetts, and annulling her charter. On the

other hand, the colonists were so adroit in eluding the grasp of Parliament, and so united in an increasingly bold course of opposition, that the king and his chief adviser thought it now high time to administer severe and sweeping discipline. They proposed by this grand penal bill, *to confine the trade of the New England colonies to Great Britain, Ireland and the British West Indies ; and to restrict their fishing privileges on the Grand Banks.*

Throughout the six weeks preceding the speech on Conciliation, Burke had fought this bill on two grounds,—justice to the colonies and profit to English trade and revenue. When Lord North argued that New England must be made obedient, Burke answered that this bill was an absurd means to such an end, for at best it would preserve only the forms of government, and these at the expense of the liberty and contentment of the governed. Burke also showed that to suspend the trade of the colonists would render them unable to pay their debts to English creditors. Finally, on the 8th of May, protesting against the passage of the bill, he remarked in sarcastic desperation,—This bill “does not mean to shed blood; but to suit some gentleman’s humanity, it only means to starve five hundred thousand people.”

The speech on Conciliation is really a part of Burke’s fight against this “grand penal bill,” and another similar piece of Lord North’s statesmanship. The peculiar strength of Burke’s opposition consists in the wisdom of the policy he proposed as substitute for that which he attacked. But, though it was not yet known in England, neither wise nor foolish legislation was of much avail when the penal bill was passed, for the battles of Lexington and Concord had been fought three weeks before.

1 : 10. *Returned to us from the other house :* with the request to amend it so as to include New Jersey, Pennsylvania, Maryland, Virginia and South Carolina !

1 : 16. *By the return, etc. :* Burke tries to persuade an indifferent house to face the American problem in a serious spirit.

2. *I feel an oppressive responsibility regarding the imperial policy towards the colonies.*

2 : 5. *When I first, etc. :* 1766, in time to help repeal the Stamp Act.

2 : 12. *To take more than common pains, etc.* : Here is humility employed to inspire earnest attention on the part of his hearers. But there is no reason to suppose they saw the point of Burke's remarks. Probably the closing sentence of the paragraph appealed to a few. Burke had really labored to learn all there was to be known about America, with a success that is evident on every page of this speech.

2 : 15. *General policy of the British Empire* : Burke was the first practical British statesman to formulate a system of political economy in its broadest sense,—the principles of imperial government.

3. *The position I took in 1766, has not changed.*

2 : 25. *A large majority* : The Stamp Act was repealed by a vote of 275 to 161.

4. *The vacillation of Parliament has caused indescribable complications in American affairs.*

3 : 1. *An enlarged view* over the vast area of special interests, not American, which were guarded by the members of Parliament.

5. *Mr. Fuller persuaded me that the opposition must take the offensive.*

3 : 18. *A worthy member* : Mr. Rose Fuller, who moved to repeal the Tea Tax, April 19, 1774, when Burke delivered his speech on American Taxation.

3 : 22. *Our politics* : of Burke's party.

3 : 24. *The public tribunal* : popular sentiment, in which alone lay Burke's hope of success.

6. *I drew up resolutions, but hesitated to present them.*

4 : 15. *Gave so far into, etc.* : yielded to the extent of formulating resolutions. Now, five months later, they are produced.

4 : 22. *Disreputably* : with danger to one's reputation. Burke hopes to disarm prejudice by emphasizing his hesitancy.

7. *Public welfare now demands their presentation.*

4 : 27. *Paper government* : theory severed from practice, such as Locke's adaptation of the feudal system for the government of North Carolina.

It is not to be supposed that Burke regarded his resolutions as theoretical, but that he feared lest they should be so regarded by others. He hopes to inspire confidence by overstating his own caution.

8. *My own insignificance has made me bold.*

5:14. *Judging of what you are, etc.*: a high standard for the best of men, entirely too high for the parliament to which Burke spoke. Yet we are not to suppose him blind to their ignorance or duplicity. He overstates their merit, hoping thus to make them rise towards his position. This is a kind of optimism we see practised every day, and it is certainly true that the more good one expects to find, the more one is likely to find.

The degree of impartial good judgment Burke ascribes to the House is really superhuman. No legislature accepts a proposition solely because it is reasonable, or rejects one solely because it is futile or dangerous. The motives which actuate such bodies are complex, and more or less selfish. Considering how unusually corrupt and stupid was the present House, Burke must have smiled to himself as he uttered the flattering lines,—“You will see it just as it is, and you will treat it just as it deserves.”

9. *My resolutions propose to reconcile America, by restoring her former confidence in the mother country.*

5:25. *The proposition is peace*: Here is the theme of the oration. This paragraph contains the key to every line of thought in the speech. Note especially the line of destructive argument implied in lines 25–32.

5:28. *Universal discord fomented from principle*: One of Lord North's objects was to divide the colonies by jealousies so as to simplify the problem of governing them. He even admitted in debate that his policy was *Divide et impera*.

5:30. *Juridical*: according to the letter of the law, rather than in a spirit of justice.

6:4. *Former unsuspecting confidence, etc.*: a phrase used by the Continental Congress to describe the effect of the repeal of the Stamp Act. Burke was struck by the expression, and used it not only in this speech, but in his *Letter to the Sheriffs of Bristol*,—



"This unsuspecting confidence is the true centre of gravity amongst mankind, about which all the parts are at rest."

10. *My plan is far simpler than the project of Lord North.*

6: 10. *Refined*: elaborate. The general statements contained in this and the two succeeding sentences are not theoretical, though they have the appearance of being so. They are generalized from actual human experience. They differ from theory as much as observation differs from imagination. It is important to make this distinction because throughout the speech Burke uses generalizations from fact and experience, and, at the same time, scouts the use of mere theory.

6: 19. *Pruriency*: itching, curiosity.

6: 21. *The project*: Burke's name for Lord North's *Propositions for Conciliating the Differences with America*.

This project, together with the grand penal bill, forms the means by which Lord North hoped to reduce America to submission. The penal bill sought to punish the colonies for their opposition to unfair restrictions upon trade; while this project had for its avowed object, the separation of the "reasonable from the unreasonable," that is, of those who gave up all the natural rights of a subject, from those who would not. } It proposed that *Parliament should control the public funds of all the American colonies. King and Parliament were to fix the proportion of funds for common defence to be paid by each colony; and to approve or disapprove the amount each colony offered to subscribe for the support of its civil and judicial system.* If a colony came quietly to terms, offering a subscription satisfactory to King and Parliament, these powers would look upon it with friendly eyes, and, except in the way of levying duties upon its importations into England, would not tax it further. Herein lay the conciliatory feature of North's scheme.

But this bill was not merely a test of the subserviency of such colonies as had not appeared restive; it was, and Lord North so planned it, a subtle means of producing jealousy and discord among the colonies towards one another, which would render some of the colonies the allies of England, in her punitive attitude towards the rest. For instance, it was hoped that New York would

join England against Massachusetts, and thus give a strong moral support to the disciplinary acts of the mother country.

As a matter of fact, this sort of legislation had already worked just the other way. The colonies had made common cause against their common oppressor, and in this new emergency they took the same course. All but Georgia sent representatives to Philadelphia to protest against such "conciliatory" measures.

6 : 22. *Noble lord in the blue ribbon* : a conventional compliment to Lord North, who was "noble lord" by courtesy only, his father being still alive. It was thus he could hold a seat in the lower house. He was a Knight of the Garter, and therefore was entitled to wear as garter the blue ribbon embroidered, *honi soit qui mal y pense*.

6 : 24. *Colony agents* : persons employed by the colonies to look after their respective interests in Parliament. Burke was agent for New York.

6 : 27. *Auction of finance* : implies that the representatives of the various colonies when they came to Parliament to settle the proportion of payments called for in the project of Lord North, would one after another keep on increasing their bids for royal favor till the auctioneer, whoever that might be, should be satisfied with their offers.

In such a scheme there are several elements of absurdity. First, it would be very hard to determine the total sum to be raised; second, it would be impossible justly to proportion this to the abilities of the various colonies; third, every concession on the part of one colony would encourage a demand by Parliament for corresponding concessions from all the others; finally, there was no reason why they should make Parliament the arbiter of their financial operations. Burke evidently uses the term "auction" to cast ridicule upon a plan so elaborate as to be impracticable, and one sure to beget jealousies among colonies bidding for the favor of the King.

II. *But Lord North's avowed purpose of conciliating America is a great advantage to my motion.*

7 : 2. *The idea of conciliation* is the nominal purpose of Lord North's project. It suits Burke to regard this as his real desire.

12. *It is evident that Parliament is conscious of error in its treatment of America.*

7 : 21. *Alien from all the ancient methods, etc.* : modern usage requires *alien to*.

Burke is to build his plan on conservative lines. The italics in ¶ 9 indicate the same thing.

13. *Acting on North's principle, I intend to conciliate America, but by other means.*

7 : 28. *On the admitted principle* : The remainder of the paragraph is devoted to showing how the field looks from this ground.

7 : 29. *Peace implies reconciliation* : There is no distinction to be taken account of between *reconciliation* here, and *conciliation* as it is used in the title of the speech.

7 : 30. *Material dispute* : a disagreement over tangible possessions or specific rights. The word *material* generally means merely important, but here has the force of excluding those disputes in which the two parties might properly agree to disagree ; as, for example, matters of taste, or faith.

8 : 2. *Great and acknowledged force* : A big Newfoundland is respected the more because he forgives and pities the yelping puppy. Gulliver amongst the Lilliputians affords perhaps a better parallel.

8 : 6. *The concessions of the weak, etc.* : This was just the chief reason why the colonies would concede nothing to England.

14. *The advisability of concession by England depends on the nature and circumstances of the colonies.*

8 : 12. *The capital leading questions* : Thus is introduced the central topic of discussion. It has been said that a question well asked is half answered.

8 : 15. *We have gained some ground* : referring of course to the ostensibly conciliatory purpose of North's project.

8 : 21. *The true nature and the peculiar circumstances* : It will be interesting to see whether Burke divides his study of the American problem according to these heads, or whether he is vaguely using two terms when the first would be enough alone.

Compare the closing sentence of this paragraph with the opening sentences of the 15th and 17th.

15. *America has a big and growing population.*

9 : 9. *The true number :* The best authorities consider Burke's estimate rather below the mark.

9 : 13. *Population shoots :* It is thought the gain in the decade preceding this speech was 500,000.

16. *So large a mass of people must not be trifled with.*

9 : 25. *A blunter discernment than yours :* a bungling attempt at compliment.

9 : 27. *Occasional system :* fit only for the special emergency or occasion which now demands attention.

17. *Their commercial interests are disproportionately great.*

10 : 14. *A distinguished person :* Richard Glover, a merchant who wrote dull verses and dabbled in politics. Burke strangely wastes words upon him. *Bar :* an oak rail across the entrance to the main aisle or floor of the House. Outsiders wishing to address the House stood at this bar.

18. *Properly examined, these will surely command the respect of Parliament.*

19. *I will compare the trade statistics for the years 1704 and 1772.*

20. *I have included under exports to America, those to Africa and the West Indies.*

11 : 16. *Terminating almost wholly in the colonies :* A slave was purchased, not with money, but with articles bought in England. So the purchase of a slave for America would mean to the English merchant the same thing as the exportation to America of his value in English merchandise.

11 : 18. *The West Indian :* dependent for commerce and for protection upon the colonies on the Continent.

21. *In 1704 the total trade to the colonies amounted to about six hundred thousand pounds.*

22. *In 1772, to six millions.*

23. *In that year England exported to the colonies alone, almost as much as in 1704 to the whole world.*

12:9. *No less than twelvefold:* a skilful repetition and condensation, for the purpose of making his statistics tell. Compare the opening of the next paragraph.

24. *As England values one-third of her export trade she will legislate wisely for the colonies.*

25. *This marvelous expansion has taken place in the lifetime of a single man.*

13:24. *Acta parentum, etc.:* to study the example of his forefathers and to learn what virtue is. (Virgil, fourth *Eclogue*.)

Like many others of Burke's quotations, Latin or English, this is not verbatim. Sometimes the variation is evidently accidental, but more often it is due to Burke's facile shaping of the extract to suit his precise purpose.

13:30. *The third prince:* George III., whose father, Frederick, died as Prince of Wales.

14:1. *To be made Great Britain:* In 1707 the Treaty of Union joined Scotland to England.

14:2. *Turn back the current:* After Henry Bathurst was appointed Lord Chancellor in 1771, his father was made an earl, while he himself became a baron; distinctions thus passing from son to father, in a degree, rather than from father to son.

Burke naturally selected Lord Bathurst for the purposes of this paragraph, both because he had lived a life of extraordinary length and public activity, and because such congratulatory remarks would please certain members of the government. Earl Bathurst was a typical member of that House of Lords which had just returned the penal bill with emphatic approval.

26. *Pennsylvania's imports in 1772 were fifty times as great as in 1704.*

27. *The truth about American commerce is stranger than fiction.*

28. *A study of colonial importations into England would lead to the same conclusion.*



15:17. *Deceive*: a translation of *fallere*, which has in Latin the same double sense.

29. *The extensive agriculture of the colonies is a necessity to England.*

16:2. *Roman charity*: Cymon, being condemned to starve in prison, was kept alive by his daughter Xanthippe, with milk from her own breast. (Hyginus.) A similar story is told of Euphrasia and Evander.

30. *Their energy and courage in the fisheries are admirable.*

16:20. *The antipodes*: the Southern seas.

16:21. *Serpent*: Hydrus, a small constellation in the extreme south; not Hydra, which lies within 35° of the equator.

*Falkland Island*: The Falkland Islands were ceded to England by Spain in 1771. Before that time they had been regarded as "too remote an object for the grasp of national ambition."

16:22. *Romantic* suggests the *Atlantis* fable.

16:27. *Draw the line and strike the harpoon*: fish and whale.

16:28. *Run the longitude*: sail in a generally southerly (or northerly) direction. There is some doubt as to Burke's familiarity with sailor talk; this expression is not now common, nor can it be ascertained that it ever was. But the idea is plain enough, that, starting from their New England home port, the whalers would run south along the sixtieth meridian of longitude, to the coast of Brazil.

The common nautical expression "to run *down* the longitude" means a different thing, and could not have been in Burke's mind.

17:1. *Dexterous and firm sagacity*: This and other expressions in this paragraph seem to indicate that Burke is approaching the subject of the *nature* of the colonies. Or is their nature only one of the *circumstances* affecting the general problem? This question will be settled quite clearly in the end, but it is well to try to anticipate that settlement. See lines 10-12 and 16.

731 17:10. *A wise and salutary neglect*: This phrase is entitled to special consideration, as the key to Burke's solution of the Colonial problem.

17:15. *Human contrivances*: An incidental reference to the project.

31. *Such colonies will be better controlled by prudence than by force.*

17:20. *A different conclusion, etc.*: At this point begins a digression, the object of which is to win over some members who, angry at the colonial spirit of liberty, rely on arms to subdue it. Burke supposes it useless to present arguments in favor of his resolutions to such men, till he has tried to persuade them of the foolishness of their own doctrine. The four objections to the use of force occupy only one page; but they are so cogent and so clearly put that if they had not fallen on sterile ground they would have proved good seeds of peace. Probably they actually resulted in shaking the inner convictions of the fighters just enough to render their actions the more obstinate and prompt. The firstlings of their hearts became the firstlings of their hands,—at Bunker Hill.

17:30. *Considering force not as an odious, etc.*: This closing passage may be regarded as summing up the preceding discussion. With all its brevity it safely avoids needless antagonism by harsh words. The phrase *profitable and subordinate* is especially politic, since it emphasizes the agreement of Burke's ultimate aim with that of the majority.

32. *Force may temporarily subdue; it cannot govern.*

33. *Force might not subdue; then England would be without resource.*

18:8. *Terror is not always, etc.*: American history is full of examples, besides the Revolution. How does it compare in this respect with the history of England? Of Holland?

34. *Force at best could not give us America intact.*

35. *Experience advises against it.*

36. *Moreover the character of the Americans demands a different policy.*

19:13. *Temper and character*: This looks as if Burke were going to make a special discussion of the *nature* of the colonists,

apart from their numbers or commercial importance. Can the facts about the nature of the Americans that appear in the preceding discussion be regarded as subordinate to the facts about their material activities,—explanatory details used to expound with due emphasis, the *circumstances* of the colonists? If here we find the opposite course followed, and material circumstances used to expound the nature of the men, we shall feel sure what Burke intended. Upon consideration, it is evident the two ideas cannot be divorced, but only presented in altered relation to each other.

37. *There are six reasons why the spirit of liberty is stronger in our colonists than in any other people.*

19 : 19. *Shuffle, etc.* : another strong figure drawn from the game of cards. Gambling was the chief recreation of high society in Burke's day.

38. *America inherits the English belief that self-taxation is the crucial test of liberty.*

19 : 28. *I hope, respects, etc.* : Burke deplored the surrender of much popular power to the King. Of course the people's attitude toward America was the direct moral result of this surrender.

19 : 30. *Emigrated from you* : during the religious and political excitements which marked the reigns of the Stuart kings.

20 : 3. *Abstract liberty* : As usual Burke explains this general statement in the following sentences. It is open to question whether this kind of argument was best adapted to convince the Parliament to which Burke was speaking. How would it appeal to our House? To our Senate?

20 : 22. *Blind usages* : having their origin not in intelligible principles, but in ancient and forgotten precedents.

21 : 7. *I do not say, etc.* : This disclaims the application of the right of self-taxation to the colonies. Such indifference must at first appear to surrender the American cause. But with characteristic grasp upon the conduct of the case, Burke reverts to this point fifteen pages later, and makes his strongest argument out of an apparently fatal disclaimer.

39. *The American assemblies have cultivated the love of self-government.*

40. *The Protestant religion has intensified the love of liberty in the North.*

22 : 19. *Dissidence of dissent, etc.* : as we say the "very quintessence," etc. The expression defies analysis, because it is higher than analysis.

41. *Slavery has had the same effect in the South.*

23 : 28. *Gothic* : commonly misused in the Eighteenth century, for Saxon.

23 : 29. *The Poles* : In 1772 occurred the partition of Poland and the consequent leveling of her classes. Compare page 5, line 2.

42. *The universal study of law has armed the colonists for self-defence.*

24 : 15. *Blackstone's Commentaries* on the laws of England, published 1769.

24 : 16. *General Gage*, after being commander-in-chief of the English army in America for several years, became governor of Massachusetts in 1774. When he tried to enforce the act of Parliament prohibiting town-meetings as likely to stir up sedition, the Boston selectmen were too clever for him. They simply adjourned the meeting from July to August, from August to October, and referred Governor Gage to the crown lawyers.

24 : 27. *Will disdain that ground* : Burke probably thought he had just stated the ground on which his friend, Attorney-General Thurlow, was preparing to refute. So, in plain words, Burke said, "You may be foolish enough to try to make a point out of this legal knowledge of the colonists. Here it is, all made before you could get your notes down ; and now I'll show you how little it is worth."

Part of this paragraph was evidently unpremeditated. It seems to have been sharpened by Burke's effort to steal Thurlow's thunder. The taking of notes in Parliament is an unusual proceeding. Ancient etiquette frowns upon any extensive practice of it.

25 : 1. *Abeunt studia in mores* : studies pass over into character. Ovid, *Heroides*, xv., 83.

43. *The ocean delays and weakens England's government in America.*

25 : 14. *No contrivance :* Steam and electricity have almost proved Burke a false prophet.

25 : 22. *So far shalt thou go, etc. :* King Canute's application of this remark to the instruction of his court is familiar. The book of Job contains the same thought in grander sequence. (Chapter 38.)

44. *From these six sources has the spirit of liberty sprung.*

45. *This spirit must be properly met by England if her government is to succeed.*

26 : 32. *What, in the name of God, etc. :* This question paraphrases the one in paragraph 14. A good deal of progress has been made in the statement of facts since that preliminary question was put.

27 : 6. *We are called upon to fix, etc. :* This takes us back to the very beginning of the speech. But see note on page 30, line 4.

27 : 11. *Still more untractable form :* Stamp Act, Tea Tax, bills of pains and penalties, war, independence—this indicates the actual climax.

27 : 19. *An emanation from yours :* evidence of the "wise and salutary policy" of neglecting the colonies. It was in the fifth year of the reign of George III. that this policy was rudely laid aside, and that trouble began. The financial aim of Grenville was to make America pay a part of the debt of £82,000,000 incurred by Pitt in the war with France.

27 : 25. *An operose business :* Gladstone's remark about the constitution of the United States emphasizes this idea.

27 : 30. *Another way :* In Massachusetts and Virginia the government had been carried on for some time in absolute defiance of their respective governors, Gage and Dunmore.

28 : 13. *A manufacture, etc. :* an echo of the discussion of paper government, ¶ 7. See note.

46. *The present state of things in Massachusetts shows how England has failed.*



28:23. *Abrogated the ancient government, etc.*: by the "Act for the better regulating the government of the Province of the Massachusetts Bay in New England."

The assembly was still to be elected by the people; but the council was to be appointed by the king, all law-officers by the governor, and all jurymen by the sheriff. The law also required town-meetings to be called by the governor. We have seen how this measure was evaded; and as to the working of the rest of the act, see lines 26-32.

29:8. *I am much against, etc.*: If we follow out this thought we shall get some light on Burke's attitude toward the French Revolutionists. But in their case Burke traced the fault to the people; not, as in this, to the ruler.

47. *There is no course open but change, prosecution, or compliance.*

29:28. *An equal attention*: One is entitled to suppose that the empty or listless benches here struck Burke's notice for a moment.

30:4. *Another*: Dean Tucker's, which though not conceived in a statesmanlike spirit, was wiser than Burke thought it.

The *argument by exclusion* which begins here, consists of a consideration of the three possible courses of action, in the light of the nature and circumstances of the colonists. It is demonstrated that neither of the first two is feasible, but that the third is a practicable and wise course. It is now possible to see how much progress has been made toward fixing a policy. The conditions of the problem are before us.

48. *To change the spirit of liberty is impracticable.*

49. *England has no power to check the growth of population.*

30:29. *To raise the value, etc.*: Such an easy reference to a principle of political economy should remind us that Burke was a pioneer in this field of statesmanship.

50. *To attempt it by dispossessing them of the royal grants, would be futile, unnatural and unconstitutional.*

31:10. *From thence they behold, etc.*: evidence of Burke's knowledge of American geography. It was more accurate than

that of the nobleman who left the office of colonial secretary after many years of service (?) believing New England to be an island.

31:18. *Become masters, etc.*: What a subject for a cartoon!

31:20. *All the slaves*: This is another side of the same truth that Pitt uttered in Parliament when it was announced that the Americans were resisting the Stamp Act. "In my opinion, this kingdom has no right to lay a tax on the colonies. . . . Sir, I rejoice that America has resisted. Three millions of people so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest."

31:23. *Increase and multiply*: This passage suggests the problem of the Pharaohs in dealing with the Israelites. On the other hand it forms an interesting commentary on the present population of France. Whereas the Jewish captives were required to make "bricks without straw," and to perform other kinds of exhausting labor, in order that their numbers might be reduced, France is thinking of offering premiums for good old-fashioned families.

31:25. *Lair of wild beasts*: a reference to the "royal wilderness" of paragraph 49.

31:27. *Our policy hitherto*: Repeating the thought in paragraph 17, "wise and salutary neglect." Eventually this idea will dominate in the speech.

51. *Hedging-in the colonists is neither prudent nor practicable.*

52. *To impoverish the colonies would make them first unserviceable, then rebellious.*

32:10. *Their marine enterprises*: Burke takes three paragraphs to treat the circumstance, population, in its bearing on the first mode of procedure. But here in paragraph 52, he treats the remaining circumstances, commerce, agriculture and fisheries, all under one head, marine enterprises. He saw that agriculture was significant only from the commercial point of view.

To take a profound view of *related particulars* is one of the

marks of a statesman. Burke showed in paragraph 20, a similar insight regarding the African and West Indian trade.

32:23. *A little preposterous*: In this sentence Burke reduces the "method" to an absurdity. He deals with it in like manner from the point of view successively of every one of the six causes of the spirit of liberty. Then he takes up the second "method."

33:1. *Spoliatis arma supersunt*: To the impoverished remains the privilege of insurrection. (Juvenal, eighth *Satire*.)

53. *The spirit of liberty was born in the English colonists and breathes in their language.*

33:5. *Fierce*: because passionately fond of freedom.

33:9. *Detect*: reveal.

54. *It lives in their religion, education, and form of government.*

33:17. *Confide to*: now confide in.

33:27. *Chargeable*: expensive.

33:29. *Kept in obedience*: Mr. Hammond Lamont quotes from Burke's *Address to the King*, "That the establishment of such a [military] power in America will utterly ruin our finances—though its certain effect—is the smallest part of our concern. It will become an apt, powerful, and certain engine for the destruction of our freedom here. Great bodies of armed men, trained to a contempt of popular assemblies representative of an English people,—kept up for the purpose of exacting impositions without their consent, and maintained by that exaction,—instruments in subverting, without any process of law, great ancient establishments and respected forms of governments,—set free from, and therefore above, the ordinary English tribunals of the country where they serve,—these men cannot so transform themselves merely by crossing the sea, as to behold with love and reverence, and submit with profound obedience to, the very same things in Great Britain which in America they had been taught to despise, and had been accustomed to awe and humble."

55. *To enfranchise the slaves in order to enslave their masters is an absurd proposition.*

56. *Such a proposition is an impossible hypocrisy.*

34 : 15. *As* : though.

34 : 19. *One of whose causes of quarrel, etc.* : This is one of Burke's characteristic turns of thought which flood a situation with light. No wonder he felt he could afford to spend a moment in the whimsical illustrations which follow.

57. *Then the ocean remains.*

58. *If the spirit of liberty cannot be changed, shall it be prosecuted as criminal?*

35 : 9. *The late exercise of our authority* : All the seriously irritating legislation had taken place within the preceding decade.

59. *To prosecute a nation as if it were a band of criminals, would be neither wise nor decent.*

35 : 15. *Too big* : Here again begins the discussion of that *circumstance*, population. This is the only item fully discussed in this connection. Hereafter Burke takes it for granted that the nature and circumstances of the colonies are clearly in the minds of the members. A more methodical debater would have clung to his formal analysis ; but to drop that and not lose in force of argument proves the master. Burke's genius is shown not so much by the plan of the speech, as by the fact that the speech is powerful in spite of interruptions and alterations of the plan.

35 : 20. *Civil dissensions* : There are several such terms in this paragraph, used to impress Parliament with the need of reason in dealing with America.

35 : 28. *Sir Edward Coke* : Burke evidently draws a mental parallel between this infamous magistrate and the party which would indict the American people. The type of justice dispensed by this Elizabethan Attorney-General may be seen in a citation from the trial of Sir Walter Raleigh—

"At the repeating of some things Sir Walter Raleigh interrupted him (Coke), and said he did him wrong.

"*Coke*. Thou art the most vile and execrable traitor that ever lived.

"*Raleigh*. You speak indiscreetly, barbarously, and uncivilly.

"*Coke*. I want words sufficient to express thy viperous treasons."

35 : 30. *Ripe* : ready.

36 : 1. *Upon the very same title* : Burke may have thought here of his own birthplace. At any rate he sums up in this phrase, all the claims of the colonists to English citizenship, and therefore to Parliamentary consideration.

60. *A province cannot claim a privilege without confessing itself under imperial authority.*

36 : 6. *Distinguished from a single state* : Compare lines 16-26 of the preceding paragraph.

36 : 10. *Constitutions* : here used concretely.

36 : 12. *Many local privileges* : Compare the last half of paragraph 43.

36 : 19. *Ex vi termini* : from the very meaning of the term.

36 : 31. *Will it not teach them, etc.* : Another powerful turn of thought. Does its brilliancy arise from the speaker's intense sympathy with the colonists ?

61. *If England prosecutes America, she must act as her own judge, and in a very questionable way.*

37 : 5. *We are indeed, etc.* : Here Burke returns to the question of criminal procedure. The preceding paragraph may be regarded as a digression into the philosophy of imperial government. Can you find the results of the digression used in paragraph 62 ?

37 : 17. *Right* : The play on this word in line 19 is justified by the context.

37 : 21. *The most vexatious of all injustice* : Compare Cicero, —*summum jus, summum injuria*,—the extreme of the law is the extreme of injustice.

37 : 23. *Civil litigant in point of right* is balanced with *whose moral quality, etc.* ; *culprit before me*, with *while I sit as a criminal judge, etc.*

62. *The experiment in Massachusetts in this mode of criminal procedure has not succeeded.*

38 : 3. *Have seemed to adopt that mode* : The bearing of the Massachusetts case upon the wisdom of the grand penal bill is direct and forcible. It shows up both the principles and the legislators involved. When Burke speaks of criminal proceedings



against America, it is such bills and such men that he has in mind.

38:5. *Formerly addressed*: In 1777 Burke wrote to the sheriffs of Bristol as follows: "It is necessary, gentlemen, to apprise you that there is an act, made so long ago as in the reign of Henry VIII., before the existence or thought of any English colonies in America, for the trial in this kingdom of treasons committed out of the realm. In the year 1769 Parliament thought proper to acquaint the Crown with their construction of that act in a formal address, wherein they entreated his Majesty to cause persons charged with high treason in America to be brought into this kingdom for trial. By this act of Henry VIII., so construed and so applied, almost all that is substantial and beneficial in a trial by jury is taken away from the subject in the colonies. This is, however, saying too little; for to try a man under that act is, in effect, to condemn him unheard. A person is brought hither in the dungeon of a ship's hold; thence he is vomited into a dungeon on land, loaded with irons, unfurnished with money, unsupported by friends, three thousand miles from all means of calling upon or confronting evidence, where no one local circumstance that tends to detect perjury can possibly be judged of;—such a person may be executed according to form, but he can never be tried according to justice."

63. *Our experience thus far reflects no credit on such a plan.*

38:18. *Menaces* is largely explained by *penal laws* in line 20, and *force* in line 23. Both houses of Parliament had also addressed the king with heated and numerous assurances of their readiness to support the royal authority in the colonies.

38:20. *Penal laws*: such as the Stamp Act, the Tea Duty Bill, the Boston Port Bill, the Act for the Impartial Administration of Justice in Massachusetts, and various other attempts to coerce the Americans, down to the pending penal bill.

38:23. *By land and sea*: about 3,000 seamen in nineteen vessels; together with the shore garrisons which the King had recently asked the House of Commons to increase.

38:28. *Correctly*: exactly; a tautology.

64. *Only the third method seems advisable,—to comply with the American spirit.*

→ 65. *We must concede the boon America desires,—some form of self-taxation.*

39:9. *The characteristic mark and seal of British freedom was the privilege of self-taxation.*

66. *The question is not one of rights but of policy.*

39:20. *Nothing to do with the question:* The opening eight lines of this paragraph constitute a piece of irony that must have attracted the attention even of the king's henchmen who slept in their seats, or ate oranges.

39:30. *Polity:* government.

40:9. *Serbonian bog:* Herodotus found this bog in Northern Egypt, but it has long since disappeared. With it Milton compares certain regions of Hell, over which the bands of fallen angels wandered while Satan was on his journey to Earth.

Burke in a previous debate had not hesitated to admit that Parliament had an unquestionable *right* to tax America. But in such matters his appeal was to expediency, as, in government, the higher law.

40:13. *The question with me is, etc.:* a powerful antithesis, compelling attention to the practical side of the problem of American taxation. There is compressed into this sentence most of Burke's general policy toward the colonies.

The last two questions in the paragraph emphasize the idea of line 15. Compare paragraph 34.

67. *No consideration should deter us from suiting colonial government to colonial love of freedom.*

41:3. *Solemnly abjured:* One of Johnson's strong points in his *Taxation no Tyranny* was that by voluntarily quitting England the colonists had resigned their right to self-government.

68. *Therefore we ought to assure the colonies a permanent interest in the British constitution.*

41:16. *An interest in the constitution* means a share in such privileges as the constitution secures for citizens. Ireland has today a small interest, Canada a large one. Burke proposes to make

the Americans feel they have lost nothing of their birthright of citizenship by emigrating.

69. *The time is past in which a negative course could secure contentment.*

41:23. *Understood principle*: The Stamp Tax was repealed as a revenue act, not as a trade law,—a distinction on which the next four or five paragraphs dwell. Trade laws had been enforced upon the colonies for over a century, with comparatively slight objection on their part.

41:26. *To give perfect content*: It is an interesting question for discussion, whether it was still possible for England permanently to bind the thirteen colonies to herself.

70. *The concession of self-taxation is opposed on the ground that America would then attack the trade laws.*

42:1. *American financiers*: Members who hope for any considerable revenue from the colonies.

42:3. *Exquisite*: apprehensive. Compare inquisitive.

42:8. *Further views*: Burke discusses this argument in paragraph 75. It was a favorite one with the opponents of concession.

42:13. *A gentleman*: Mr. Rice, one of those holding the opinion that the colonies would take an ell if given an inch. It was quite generally suspected that America was aiming at independence.

71. *When we argue that taxation is unjust because of the trade-law burden, Lord North claims the trade laws are of no account.*

42:23. *Shall*: is bound to; the old sense of the word.

72. *But when we argue against taxation on principle, Lord North pleads for it as a safeguard to the trade laws.*

73. *We admit the trade laws are of use, but think them a burden on America, and not threatened by tax-concession.*

43:19. *Confine* is intensified by narrow.

74. *The presumption is that all trouble would be avoided by conceding the taxing privilege.*

44:2. *Not a shadow of evidence:* This is an exaggeration. The trade laws had been felt as an oppression for more than a century. Possibly Burke refers to the two great disputes in the preceding decade. The complaints of earlier trade regulations had been local, and perhaps had hardly risen to the dignity of Burke's idea of a dispute.

44:11. *Decency:* Courtesy to an opponent due to one's self.

75. *Is it not the natural course to remove the avowed cause of quarrel?*

44:21. *Panic fears:* imaginary fears such as Pan was supposed to inspire by the loneliness and shadows of the woods, the howling of the wind, etc.

76. *I favor that course since all objections to it are purely conjectural.*

44:31. *Suspensions, conjectures, divinations:* Each term condemns some special objection. Suspensions show lack of faith in American loyalty; conjectures are mere guesses at what so energetic a people may do; divinations indicate superstition.

77. *In the light of English history I have formulated a plan.*

45:9. *Wisdom of our ancestors:* Conservatism is the keynote of Burke's statesmanship.

78. *As Spanish statesmen consulted the genius of Philip the Second, I have consulted the spirit of the English constitution.*

45:20. *Issue of their affairs:* Judging from the relative colonial strength of Spain and England to-day, the genius of Philip would seem completely to have misled his clients.

45:23. *The English constitution* is not, like that of the United States, a written body of fundamental principles of government. It consists of various great pieces of legislation, of judicial and parliamentary precedents, and of many unwritten laws. This does not mean that the English constitution is vague or fragile, but

simply that the principles underlying all these concrete expressions of the national spirit have not been abstracted, and formulated, as ours have, in a single document.

Burke frequently uses the word constitution not as here, but as in paragraph 77, to indicate the national spirit itself,—its powers, its claims, its responsiveness, its freedom, its unity.

45:25. *Four capital examples*: There was no superstition in consulting this oracle,—the history of four important cases similar to that of America.

79. *Ireland after five hundred years of force, was really won by the extension of the privileges of the constitution.*

45:28. *Ireland before the English conquest* was a seething mass of petty kingdoms. Henry II. in 1172 conquered a strip of land on the East, and peopled it with English subjects. This section was called the Pale; and this alone *partook* of the feast of Magna Charta and enjoyed the other English privileges as they were granted. After several so-called conquests, the whole country was subdued by force in the reign of Elizabeth, and granted civil rights in that of her successor.

46:18. *Sir John Davies*: Speaker of the first Irish House of Commons, in the reign of James I. The work to which Burke refers has an interesting title,—“Discovery of the true causes why Ireland was never entirely subdued nor brought under Obedience of the Crown of England until the Beginning of his Majesty’s happy Reign.”

46:24. *Civility*: civilization.

46:29. *Changed the people*: especially in the North by the colonization of Ulster in 1610. (See Green’s Short History, pp. 439–453, for an account of the affairs of Ireland up to the reign of Charles I.) *Altered the religion*: The Church of England supplanted the Church of Rome.

47:3. *Usurpation*: the Commonwealth, 1649–1660.

47:4. *The glorious revolution*: of 1688, which brought in William of Orange and the Bill of Rights.

47:7. *Principal part*: another evidence of Burke’s love for Ireland.



47:11. *Were done* seems to be open to grammatical criticism.

47:13. *An exception to prove the rule*: a complacent use of an old Latin adage. The saying has no point, however, unless the case in hand is admitted to be exceptional.

47:17. *Lucrative*: not lucrative.

47:18. *The stated and fixed rule* has been that Ireland should tax herself. When a breach has been made in this constitution (*i. e.*, institution or rule) she has raised no taxes.

80. *Wales, under the Lords Marchers, was in perpetual anarchy.*

47:32. *Lords Marchers*: lords of the marches or frontiers. They were sanctioned by the early English kings to rule such territory in Wales as they could seize and hold. After Edward I. conquered the country, a movement toward introducing English laws and customs began, which, notwithstanding fifteen penal regulations, did not succeed till Henry VIII. gave the Welsh an interest in the English constitution.

48:5. *Secondary*: incidental to his military authority. Burke slyly defines this government in such terms as strongly to suggest recent attempts to control Virginia (Dunmore) and Massachusetts (Gage) by military power.

81. *Fifteen penal laws were enacted by Parliament.*

48:21. *Disarm New England*: General Gage was ordered to seize the military stores at Cambridge and other places, and bring them to Boston.

82. *Yet Wales continued an unprofitable and oppressive burden to England.*

49:4. *Rid*: old form of *rode*.

*Incubus*: a nightmare; an oppressive burden.

83. *In the reign of Henry VIII. gradual concessions of liberty resulted in obedience and contentment.*

49:13. *Ill-husbandry*: false economy.

49:14. *Tyranny of a free people*: tyranny exercised by a free people.

50:5. *Simul alba nautis, etc.*: Their clear star has shone

forth upon the sailors, and lo, the stormy seas flow back down the rocks, the winds are stilled, the clouds flee away, and, at their bidding, the threatening waves subside upon the deep.—Horace's ode in praise of *Castor and Pollux*.

84. *At the same time, Chester which had been like Wales in oppression and disorder, petitioned Parliament for representation.*

50 : 11. *County Palatine* : a county which the owner rules as a king his palace.

50 : 17. *Standing army* : of 2,000 archers, hired by the tyrant as his bodyguard.

50 : 21. *Shewen* : old form of show ; its subject, inhabitants.

50 : 23. *Where* : whereas.

50 : 26. *Knights and burgesses* : representatives of counties and towns respectively.

50 : 27. *Disherisons* : deprivations of property.

50 : 30. *Commonwealth* : welfare.

51 : 4. *Nor* : nor.

51 : 7. *Derogatory* : injurious. Compare with derogation in line 13.

85. *Parliament cordially granted the petition.*

51 : 12. *Libel* : undeserved or improper censure.

51 : 14. *Over* : We say upon.

51 : 17. *Temperament* : tempering, moderating.

86. *And anarchy in Chester was cured by freedom, as it was in the County of Durham in the reign of Charles II.*

52 : 1. *Abstract extent* : Refer to paragraph 82. Burke's purpose is to silence those who fear the destructive effect of conceding the vital privilege of taxation.

52 : 3. *Any considerable district* : an echo of the argument in paragraph 59.

87. *Now America, compared with Ireland, Wales, Chester and Durham, still more deserves an interest in the constitution.*

52:15. *Judge Barrington*: presiding over three counties of Wales.

52:24. *Virtually represented*: by having laws made for them by the representatives of one-ninth of the English people; only one million out of nine having the right to elect members to Parliament.

88. *If we cannot give America representation in Parliament, what satisfactory substitute can we give?*

53:7. *Opposuit natura*: nature opposes it. (Juvenal, tenth Satire.)

89. *All we need do, is to go back to the policy we uniformly followed up to 1763.*

53:25. *Republic, Utopia, Oceana*: ideal commonwealths; the first produced in the fourth century, B. C., the others in the fifteenth and seventeenth centuries, A. D., respectively.

53:28. *Rude swain*: Milton, *Comus*, 634, has *dull* swain. Such slight inaccuracies would not occur if the text were consulted with deliberate intent to quote, or if Burke did not in his own mind lay the chief stress on the thought-content of the quotation. For writers less familiar with the original a verification of the words is the part of discretion.

53:29. *Clouted shoon*: heavy bungling shoes, either because roughly patched, or studded with nails.

54:5. *The year 1763* saw Grenville throw over the policy of *salutary neglect*, and adopt exaction and compulsion in colonial government.

90. *I shall move that the colonial assemblies be allowed to grant their own taxes, as they have done legally, dutifully and beneficially in the past.*

54:6. *My resolutions*: The substance of the resolutions is suggested by the italics in this paragraph. They will repay careful consideration in pairs,—*grant* and *imposition*; *dutiful* and *beneficial*; *benefit* and *futility*.

54:10. *Aids*: another synonym for supplies, subsidies, revenue.

91. *I shall move six resolutions which, if accepted, will become the pillars of a temple of British concord.*

54 : 21. *The temple of British concord* : On page 47, line 22, this thought first appears. It becomes amplified into a very significant idea as the speech goes on.

92. *The first resolution simply records the fact that two million free Americans, in fourteen governments, have no representation in Parliament.*

93. *The second states that these people are discontented with the impositions laid upon them by Parliament.*

55 : 20. *Subsidies given, granted and assented to* : This really means taxes, demanded of the colonies.

94. *If the language of this resolution seems unfit, remember I have simply transcribed it from an ancient act of Parliament.*

55 : 29. *Non meus hic sermo, etc.* : The doctrine is not mine, but that of Ofellus ; who, though a rustic, is wise after a fashion of his own. (Horace, second *Satire*.)

55 : 31. *Produce* : *product* is more precise.

56 : 3. *Metal, stones, tracks* : Here is profusion, if not confusion, of metaphors.

The thought of *venerable rust* may have come from Juvenal (thirteenth *Satire*) ; the thought of profaning the altar with tools was evidently suggested by Exodus, 22. Professor Cook says : "Observe how the idea of the temple is maintained ; even the suggestion from Juvenal contributes,—Compare too, those who despoil some ancient temple of its massive chalices with their venerable rust, etc."

95. *America has been touched and grieved, as is shown in the admissions and the acts of the advocates of taxation themselves.*

56 : 29. *Grieved in their privileges* : Burke uses a strong illustration of this fact in his speech on American Taxation. "The feelings of the colonies were formerly the feelings of Great Britain. Theirs were formerly the feelings of Mr. Hampden, when called

upon for the payment of twenty shillings. Would twenty shillings have ruined Mr. Hampden's fortune? No! but the payment of half twenty shillings on the principle it was demanded would have made him a slave."

57: 15. *Lord Hillsborough* being colonial secretary, wrote to America a public assurance that the ministry intended not only to lay no further taxes on the colonies, but to remove the duties then levied on glass, paper and colors, as duties laid contrary to the true principle of commerce.

57: 20. *The resolution*: the "project."

96. *The third resolution states that no practical method of representation has yet been devised.*

97. *The fourth, that every colony has a general assembly legally authorized to levy taxes for public use.*

98. *Some officers of the Crown deny the legality of these grants to the Crown, but they accept them, notwithstanding.*

58: 16. *Paradoxically*: The contradiction was between their theories and their practice. In theory, prominently held by Grenville, Parliament alone could grant supplies to the crown. Yet practically the thing was done by certain colonies every year.

58: 21. *Some of the law servants*: In 1766 Lord Mansfield declared it unconstitutional for any number of people without the consent of Parliament, to raise money for the King.

58: 21. *If the crown could be responsible*: "Whatever the English Sovereign does officially is done by the advice of his ministers, who are held responsible." (Lamont's note.)

99. *The fifth resolution asserts that these assemblies have not only granted money to the King, but that Parliament has gratefully acknowledged these grants.*

59: 10. *So high*: "so far back." (Lamont.)

100. *For example, Parliament in 1748 reimbursed for such grants, four New England colonies.*

101. *The amount in this instance was over £200,000,*



59:26. *Public credit*: An incidental evidence of the legality of the grant.

102. *In 1756 the King requested Parliament to thank the colonies in his behalf.*

103. *On this and other occasions, up to 1763, Parliament voted reimbursements as an encouragement to the colonies to continue.*

104. *The journals prove that up to 1763 the assemblies gave only too freely, and that their right to give was never questioned.*

60:19. *Two things*: Compare the fifth resolution.

61:2. *Miserable stories*: Lamont quotes from Franklin's testimony before Parliament: "America has been greatly misrepresented and abused here in papers and pamphlets and speeches, as ungrateful and unreasonable and unjust, in having put this nation to immense expense for their defence and refusing to bear any part of that expense."

Two and a half millions had been their contribution towards defraying the expenses of the French and Indian War.

61:3. *Misguided people*: the people of England.

61:15. *Subject to the payment of taxes*: not taxes formally laid, but debts assumed in response to requisitions from the ministers of the crown.

61:26. *Requisition*: The word is more formal and authoritative than *request*, but less arbitrary than *imposition*. See *require* in the fifth resolution.

105. *Since 1763 the policy of imposition has been tried, but has produced no revenue but discontent.*

61:30. *Revenue by grant*: revenue voted in the colonial assemblies.

106. *The sixth resolution asserts the superiority of voluntary grants by the assemblies, over impositions laid by Parliament.*

62:12. *Granting etc.*: This is the interest in the British Constitution Burke wished to give America,

107. *There was no need of taking the power from the colonial assemblies.*

108. *Will you choose, then, to abide by a profitable experience, or a mischievous theory?*

109. *The first corollary resolution is directed against five penal regulations.*

63 : 6. *The following resolution* has several points in common with what the colonists called the Intolerable Acts.

63 : 10. *Granting* : levying.

63 : 12. *Drawback* : A rebate allowed on the import duty when imported goods were exported.

63 : 16. *Clandestine running* : smuggling.

63 : 19. *An act to discontinue* : The Boston Port Bill.

63 : 25. *An act for the impartial administration of justice* : The Transportation Act. This provided for the transportation to England or to another colony, of any person accused of a capital offence committed while aiding the magistrates to enforce the law. It was this act which, as Burke said, put the King's soldiers beyond, and therefore above, the courts of an English colony.

63 : 31. *An act for the better regulating, etc.* : This abrogated the charter-government of Massachusetts. It is explained in paragraph 46, and the note on it.

63 : 34. *An act for the trial of treasons* : See note on line 4, page 38.

110. *Here are my reasons for wishing to repeal the Boston Port Bill.*

64 : 8. *Restraining Bill* : the "grand penal bill."

64 : 12. *Equal guilt* : Circumstances conspired to give Englishmen the impression that Massachusetts (especially Boston) was the most aggressive of the American malcontents.

III. *Similarly I disbelieve in abrogating the charter of Massachusetts.*

64 : 20. *Less power* : for example, in the matter of veto.

64 : 27. *Exceptionable* : blameworthy.

64 : 32. *The returning officer* : the sheriff in his capacity as summoner of juries.

112. *The act for the trial of favorites of the government is justly obnoxious.*

65:5. *Temporary*: to remain in force three years. There is a gibe at this idea, in the following sentences.

113. *The act for the trial of treasons has no just bearing on the American colonies.*

65:15. *In places, etc.*: Burke feels that the American colonies, with English charters, having the law intelligently administered (see paragraph 42), do not come under this head.

114. *The second corollary resolution proposes to purge the colonial judiciary.*

65:17. *Having guarded*: by several of the items of the first corollary resolution. Some of those items have a double bearing however.

65:23. *Settled salary*: settled not by the king, but by vote of the local legislature; and paid not out of rents accruing to the king (which would compromise a judge's independence), but by colonial grant.

65:27. *During good behavior*: and not during the pleasure of the king.

65:29. *On complaint*: The complaint might originate with the general assembly, that is, council and house of representatives in conjunction; or it might originate with any separate branch of the colonial government.

115. *The third, to do a similar service for the admiralty courts.*

66:1. *Courts of admiralty*: in which marine questions and customs cases were settled. By an atrocious plan which had just been changed when this speech was delivered, the admiralty-justice was paid with a portion of the goods condemned in his own court, a third of all seizures also going to the governor of the province. Naturally seizures were thought desirable by these officials. In the course of discussion Burke was informed of the redress of this grievance, and the resolution was amended.

66:6. *Commodious*: convenient. They were few and far apart.

116. *The courts should be situated conveniently and administered with honor.*

117. *These three corollary resolutions embrace what is practicable as an application of the first six.*

66:20. *Consequential*: consequent.

118. *Of objections to my plan, the first will be that the Chester preamble protests against all parliamentary control as well as against taxation.*

66:31. *The first will be, etc.*: The straw man that Burke now sets up is an interesting dummy. Burke shows what he is made of in paragraph 119.

119. *The resolution is drawn from the Durham preamble, which had reference to taxation only.*

67:11. *Inconclusive*: unfounded, that is, not drawn from the language of the preamble with logical accuracy, as a sound *conclusion* should be. This is an unusual sense of the word, which usually means unconvincing.

67:16. *Moved to have read*: in order to prove that the taxation of dependencies without their voice, had always been the right of Parliament.

67:18. *In favor of his opinions*: Pitt replied that he would cite the same preambles to show that former Parliaments had been ashamed of this arbitrary taxation and had abandoned it.

67:21. *As favorable as possible to both*: but distinctly more favorable to Pitt, and now to Burke, than to Grenville.

67:30. *De jure or de facto bound*: bound by right, or by fact without regard to right. The question of the right to tax these dependencies was "put totally out of the question."

120. *The colonies would of course like ideal liberty, but they will be quite content with the concession I propose.*

68:12. *Illation*: the name for the mental process which results in an *inference*. Study the derivation.

*We Englishmen stop*: The remainder of the paragraph is devoted to proving and illustrating the first ten lines.

*Compromise and barter* : a favorite principle with Burke, and one which he did much to teach the world.

68 : 30. *Apt to make slaves haughty* : as a tyrannical government is apt to beget many corrupt aristocratic dependants. This *artificial importance* which had undermined the English nation in the reigns of Charles I. and Charles II., was exactly what Burke, as a Whig, most strongly opposed.

69 : 12. *The cords of man* : the touch of nature that makes the whole world kin. The expression as used in Hosea XI., means heart-strings, but Burke applies it to common prudence.

121. *Their natural impulse will be loyalty, when they find England a gracious and indulgent protector.*

69 : 24. *Security, not the rival* : an appeal to the magnanimity of his hearers which it seems impossible should have failed to touch them.

69 : 30. *Some share of those rights* : Some interest in the British Constitution.

122. *True imperial unity, like the unity of the human body, was exemplified in our relations with America up to 1763.*

70 : 11. *Separate legislature* : Pitt, the younger, in 1800, bought out the Irish Parliament and united it with that of England.

70 : 14. *Conservation* : a stronger term than *preservation*.

123. *I will briefly state my objections to Lord North's project for American revenue.*

70 : 27. *Proposition of the noble lord* : "the project."

71 : 4. *Before the committee* : of the whole House, Feb. 20.

124. *I object to it because it is an unprecedented experiment upon the peace of this Empire.*

71 : 10. *Experimentum, etc.* : experiment on a worthless object. The rule is,—*Fiat experimentum, etc.*

71 : 12. *Adverse to* : Compare *aversion from*, line 22, page 21. Adverse is generally used of things, not of persons.

125. *Secondly, because the taxing would be done, not by Parliament but by some cabinet committee.*



71 : 23. *Proportional payment* : taking into consideration the actual wealth of every colony ; its wealth compared with that of every other colony ; its wealth compared with that of Great Britain ; also, the absolute and relative burdens of these various governments.

71 : 28. *Back door* : Compare line 17. The ministry would have to proportion the payments, and Parliament would not dare re-open so complex a question.

126. *Thirdly, because it pretends to give satisfaction, but is a mere delusion.*

127. *Fourthly, because in the way of administration would lie insurmountable obstacles ; as, first, the difficulty of settling proportion of payments.*

128. *Second, the difficulty of coercing those colonies which refuse to bid, while those which bid bear all the burden.*

73 : 8. *Composition* : compromise.

73 : 21. *English revenue* : English merchants paid duty on the importation of immense quantities of tobacco.

74 : 3. *Confound the innocent with the guilty* : as the penal bill would punish all New England colonies for the sins of part ; and as it would include with those who were responsible for the disturbances, many who had been absent at sea. This Restraining Bill was passed over the protest of 4,500 Quakers on Nantucket, who were " entirely innocent in respect to the present disturbances in America, and who would be exposed to all the hardships of famine." (Quoted by Lamont from the *Parliamentary History*.)

129. *Third, the dilemma of a trifling fixed revenue on one hand, and constant quarrel about the amount on the other.*

130. *Fourth, intestine dissatisfaction which will require constant suppression.*

74 : 19. *Treasury extent* : " a writ issued against the body, land and goods of a crown debtor." (Cook.)

74 : 27. *The Empire of Germany* : the tottering Holy Roman Empire, which Napoleon dissolved in 1806.

74 : 28. *Quotas and contingents* : substantially interchangeable terms. Every one of the States, with Austria at their head, was called upon for so much money and so many troops.

131. *Instead of a standing quarrel, so provoked, I propose a plan of peace and union.*

132. *My plan, unlike Lord North's, is simple, mild, recommended by experience, universal and immediate in operation, and an act of free grace.*

75 : 16. *Perplexed and intricate mazes* : Compare paragraphs 9 and 10.

133. *To those who argue that it gives no revenue, I reply that freedom, prosperity and gratitude in the subject are the greatest of all revenues.*

76 : 18. *Posita luditur arca* : the treasure-chest itself is staked on the game—Juvenal, first *Satire*.

79 : 21. *Accumulated a debt* : proving the possession of a corresponding credit.

77 : 2. *Has a tendency to increase the stock* : It is nowadays a commonplace, that any disturbance of the public mind affects trade.

77 : 6. *Voluntary flow of heaped up plenty* : Observe the cheerfulness with which the burden of our American public expenditures is born at the present time.

134. *Moreover in a free country there are parties ; and parties for their own good would vie with one another in serving the mother country.*

77 : 19. *This game* : There is hardly a more suggestive figure of speech in the oration than this. Contrast, in imagination, the state of America as Burke desired it,—the game of parties being played in a free atmosphere with a voluntary appeal to England as holder of the stakes—with the state of America Lord North's plan would produce, in which “absolute power would be ill obeyed because odious, and contracts would be ill kept because constrained.”

135. *What we want is the payment of that eternal debt which is due to generous government from protected freedom.*

136. *Expect no material revenue from America except imposts, trade advantages, and the defrayal of colonial expenses.*

78: 16. *Taxable objects*: especially tobacco.

78: 18. *Foreign sale*: Burke's idea is that the duty paid by English merchants on imports from America, is clear gain to the nation, because it is paid out of the profits of these imports when they are resold to other countries. The word *you* is applied first to the treasury of England, then to the people of England.

78: 25. *Enemies*: Spain and, especially, France. Both countries seriously menaced the American colonies in case of European War.

137. *Bind her to you by those ties which alone are vital, English kinship and English privilege.*

78: 29. *Her interest*: Burke uses the closing paragraphs of the speech, to enforce this central principle of his politics.

79: 29. *Of price*: precious, a Latinism. It suggests the Scriptural—"of great price."

79: 23. *True Act of Navigation*: Emphasis is again laid on the *spirit* of the constitution. Compare page 76, line 10, "the first of all revenues."

79: 29. *Registers, bonds, affidavits*: as connected with custom-house operations.

79: 30. *Sufferances*: permits for the shipment of dutiable goods.  
*Cockets*: receipts for payment of duties.

*Clearances*: Sailing papers granted to merchantmen.

80: 2. *The great contexture of the mysterious whole*: Read Morley's Life of Burke, pages 162 and 163.

138. *These are the motives which make England herself what she is.*

80: 15. *Mutiny Bill*: a strange name for the act annually passed to provide for certain expenses of the British army. Green

gives a luminous account of its original passage, as a corollary of the Bill of Rights in 1689. (Short History, page 666.)

80:22. *Nothing but rotten timber*: an expression interesting when contrasted with our modern phrase, "the men behind the guns."

139. *Those who recognize the national spirit will feel that it dictates that ancient, generous wisdom, which has made the true greatness of the British Empire.*

80:25. *Mechanical politicians*: relying on "passive tools," etc., paragraph 137.

81:2. *Little minds*: From the vote on Burke's resolutions they seem to have had a majority of about four to one, in that Parliament.

81:5. *Auspicate*: favorably introduce. The word is derived from *auspicium*, the consultation of the birds by the Roman augurs. It is not quite in harmony with the phrase from the Christian liturgy which follows.

81:15. *As we have got, etc.*: For the method, see Burke's doctrine of "salutary neglect." This sentence and the ones which immediately precede and follow it, are perhaps the strongest in the speech.

140. *In full confidence of this unalterable truth, I now move the first resolution.*

81:19. *Quoa felix faustumque sit!*: And may the outcome be happy and successful! An old Roman invocation.

*The first stone*: Following the six chief resolutions, the corollary three were moved, divided into seven. Not one was passed.

81:27. *Put and carried*: in all probability, an editorial blunder. What was carried, was the *intention* of the *previous question*.

In English parliamentary practice, the previous question is moved as a tactful way of rejecting a delicate measure. It is moved by a member who intends to vote against his own motion. The resolutions which, in this case, had the previous question put on them were such as no rational being could directly oppose. The resolutions which afforded ground for objection, however slight, were squarely negated.

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